

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

February 15, 2005

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

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

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

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

9:00 A.M. Reconvened to Regular Session

Roll Call

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

Invocation: Jennifer Klein, Office of County Counsel

Report from Closed Session

No reportable action taken.

Approval of Minutes of the February 8, 2005 meeting

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

Administrative Agenda

Resolutions to be Presented at 2:00 PM

A-1) SUPERVISOR FIRESTONE

[File Reference No. 05-00192](#)

Adopt a Resolution of Commendation for Dennis Kirby upon his retirement after 33 years of service to the County of Santa Barbara.

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

RESOLUTION NO. 05-036

The motion carried unanimously.

A-2) SUPERVISOR FIRESTONE

[File Reference No. 05-00199](#)

Adopt a resolution honoring Bryan Herring (American Medical Response), James Espinoza, Bruno Bertuzzi and Kevin Huddel (Santa Barbara County Sheriff's Department) for their dedication and service as Emergency Service Providers.

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Continued, as follows: March 15, 2005 on the Administrative Agenda. The motion carried unanimously.

A-3) SUPERVISOR ROSE

[File Reference No. 05-00193](#)

Adopt a Resolution of Commendation for Precillian "Lupe" Miranda (Department of Social Services) upon her retirement after 39 years of service to the County of Santa Barbara.

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

RESOLUTION NO. 05-037

The motion carried unanimously.

Administrative ItemsA-4) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 05-00198](#)

Consider recommendations regarding an agreement with Eli Katz, M.D., as follows:

a) Approve and authorize the Chair to execute an amendment to the agreement with Eli Katz, M.D. (a local vendor) to provide increased psychiatric services to seriously mentally ill adults in the Santa Maria clinic for the period of November 22, 2004 through June 30, 2005 increasing the amount by \$58,000 for a new contract amount of \$110,000;

b) Authorize the Director of ADMHS to approve amendments to the proposed contract, provided that any such amendments do not exceed ten percent (10%) of the contract's dollar amount.

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, 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. 05-00213](#)

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

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

A-6) GENERAL SERVICES [File Reference No. 05-00200](#)

Authorize the Purchasing Agent to purchase up to 14 Crown Victoria vehicles and one F-350 pickup-truck from Mel Clayton Ford (a local vendor) and a ¾ ton 4 X 4 from Iverson Motors (a local vendor) even though the price with tax exceeds (by 0.6%) the price from a non-local source.

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

A-7) PLANNING AND DEVELOPMENT [File Reference No. 05-00197](#)

Receive the Director's report regarding the Knill Soil Stockpile Emergency Permit, 05EMP-0000-00009, issued to Karen Bray, agent for the landowner, to temporarily authorize the placement of 18,000 cubic yards of soil on the subject property to facilitate the restoration and maintenance of County and U.S. Army Corps of Engineers flood control facilities affected by the recent winter storms (APN 005-080-017) 370 Ortega Ridge Road, Summerland area, First District.

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

A-8) PUBLIC HEALTH [File Reference No. 05-00194](#)

Receive and file the Summaries of Evaluation for Annual Health Inspections of Detention Facilities 2003-04 from the County Health Officer regarding compliance with environmental, nutritional and medical/mental health requirements for detention facilities throughout the county.

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

A-9) PUBLIC HEALTH [File Reference No. 05-00195](#)

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 Carbajal, that this matter be Approved. The motion carried unanimously.

A-10) PUBLIC WORKS [File Reference No. 05-00196](#)

Consider recommendations regarding the Urban Streams Restoration Program grant application, as follows:

a) Adopt a resolution authorizing a joint application between the County of Santa Barbara and Growing Solutions Restoration Education Institute (a local non-profit) for the Urban Streams Restoration Program Grant and authorize the Public Works Director or designee as signatory for the County's contracts for administration of the grant funds and to serve as the co-manager for the grant project;

b) Approve the Notice of Exemption pursuant to Section 15301(h), (i) and 15308 of the California Environmental Quality Act (CEQA) Guidelines.

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

a) **Adopted.**

RESOLUTION NO. 05-038

b) **Approved.**

The motion carried unanimously.

Board of Supervisors

A-11) SUPERVISOR CARBAJAL and SUPERVISOR FIRESTONE [File Reference No. 05-00208](#)

Adopt a resolution affirming Santa Barbara County's legislative priority of maintaining local control of land use zoning policies.

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

RESOLUTION NO. 05-039

The motion carried unanimously.

A-12) SUPERVISOR CARBAJAL [File Reference No. 05-00211](#)

Approve the reappointment of John Robinson to the Air Pollution Control District Community Advisory Committee, First District.

Withdrawn from the agenda

A-13) SUPERVISOR CARBAJAL [File Reference No. 05-00212](#)

First District.

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

A-14) SUPERVISOR FIRESTONE [File Reference No. 05-00201](#)

Approve the appointment of Glenn Oliver to the Air Pollution Control District Community Advisory Council, Third District.

Withdrawn from the agenda

A-15) SUPERVISOR FIRESTONE [File Reference No. 05-00202](#)

Approve the appointment of Lorraine Woodwark to the Air Pollution Control District Community Advisory Council, Third District.

Withdrawn from the agenda

A-16) SUPERVISOR FIRESTONE [File Reference No. 05-00203](#)

Approve the appointment of Janine Blum to the Commission for Women, Third District.

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

A-17) SUPERVISOR FIRESTONE [File Reference No. 05-00204](#)

Approve the appointment of Euell Ryles to the Human Relations Commission, Third District.

No action taken.

A-18) SUPERVISOR FIRESTONE [File Reference No. 05-00205](#)

Approve the appointment of Chrisanna Waldrop to the Human Relations Commission, Third District.

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

A-19) SUPERVISOR FIRESTONE [File Reference No. 05-00206](#)

Approve the appointment of Brent Zepke to the Human Relations Commission, Third District.

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

A-20) SUPERVISOR GRAY [File Reference No. 05-00207](#)

Approve the appointment of Phyllis (Phil) Moore to the Commission for Women, Fourth District.

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

Hearing Requests

A-21) PLANNING AND DEVELOPMENT [File Reference No. 05-00180](#)

Set a hearing to receive a report from the Appeals Group of the Process Improvement Team regarding its recommendations for changes to appeal and noticing procedures.

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: March 1, 2005 (EST. TIME: 45 MIN.) The motion carried unanimously.

A-22) COUNTY EXECUTIVE OFFICE[File Reference No. 05-00209](#)

Consider recommendations regarding the Five Year Capital Improvement Program, as follows:

- a) Receive the Five Year Capital Improvement Program (CIP) for Fiscal Years 2005-2010;
- b) Refer the CIP to the Planning Commission and request analysis of projects recommended for planning, initiation or construction during Fiscal Year 2005-06 for conformity with the County Comprehensive Plan;
- c) Set a hearing to review and approve in concept the projects included in the CIP and proposed capital budget for Fiscal Year 2005-06 and receive the Planning Commission's Comprehensive Plan conformity findings.

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

- a) Received and filed.
- b) Referred.
- c) Set for April 5, 2005 (EST. TIME: 90 MIN.)

The motion carried unanimously.

A-23) COUNTY EXECUTIVE OFFICE[File Reference No. 05-00210](#)

Schedule hearings for the FY 2005-06 Proposed Budget (Operating Plan) to begin on Monday June 13, 2005 and continuing, if necessary, through Friday June 24, 2005, with specific hearings scheduled for Monday June 13, 2005, Wednesday June 15, 2005 and Friday, June 17, 2005. (There is no scheduled Board Hearing on Tuesday June 14, 2005, in order to allow for the Proposed Budget 2005-06 hearings).

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: Monday June 13, 2005, Wednesday June 15, 2005, Friday June 17, 2005 and continuing if necessary through Friday June 24, 2005. The motion carried unanimously.

A-24) GENERAL SERVICES[File Reference No. 05-00214](#)

Set a hearing to receive report regarding the logistics associated with the People v Michael Jackson trial, Santa Maria, Fifth District.

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

A-25) PUBLIC WORKS and OFFICE OF EMERGENCY SERVICES[File Reference No. 05-00216](#)

Adopt a resolution approving the Santa Barbara County Multi-Jurisdictional Hazard Mitigation Plan.

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

RESOLUTION NO. 05-040

The motion carried unanimously.

Approval of Administrative Agenda

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

[File Reference No. 05-00051](#)

PUBLIC COMMENT

Accepted Public Comment

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. **THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 03-282) (05-00051)**

RE: Oil, Gas and Minerals Rights/Toro Canyon Property/Kyoto Accords - John P. Thorndike IV addressed the Board.

RE: Ownership Society - Richard Robinson addressed the Board.

RE: Critical Habitat Designation - Andy Caldwell addressed the Board.

RE: Standards for Water / Environmental Practices / Allergy Producing Trees - Sister Janet Corcoran addressed the Board.

RE: Methane Gas / Water Issues - Ernest Armenta addressed the Board.

Departmental Agenda -- Public Hearings

1) PLANNING AND DEVELOPMENT

[File Reference No. 04-00070](#)

HEARING - Consider recommendations regarding the Zoning Ordinance Reformatting Project (ZORP), as follows:

- a) Receive a progress report on the Zoning Ordinance Reformatting Project (a Process Improvement Team effort) and offer feedback as to the format of the new Land Use and Development Code;
- b) Direct staff to return on May 17, 2005 to present recommendations on the approach of the reformatted Land Use and Development Code.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

- a) **Received and filed staff presentation and conducted public hearing.**
- b) **Continued matter to May 17, 2005.**

The motion carried unanimously.

2) PLANNING AND DEVELOPMENT

[File Reference No. 05-00118](#)

HEARING - Consider recommendations regarding amendments to the Santa Ynez Valley Community Plan, as follows: (EST. TIME: 1 HR.)

- a) Consider proposed amendments to the Santa Ynez Valley Community Plan study area boundary;
- b) Consider adopting a resolution modifying the Santa Ynez Valley Community Plan study area boundary as set forth in the Initiation Draft Project Description initiated by the Board of Supervisors on August 10, 2004 per Resolution 04-226.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

- a) **Received and filed staff presentation regarding proposed amendments to the Santa Ynez Valley Community Plan study area boundary and conducted public hearing.**
- b) **Adopted resolution establishing a revised planning area boundary for the draft Santa Ynez Valley Community Plan, project description dated February 15, 2005 entitled 'Compromise Study Area', as reflected in Figure 1 of Board of Supervisors Resolution No. 05-041.**

RESOLUTION NO 05-041

The motion carried unanimously.

3) COUNTY COUNSEL

[File Reference No. 05-00191](#)

HEARING - Consider whether to appeal the decision of the United States Department of Interior, Bureau of Indian Affairs to take 6.9 acres of land in Santa Ynez into trust for the Santa Ynez Band of Mission Indians, or provide direction as appropriate, Third District. (EST. TIME: 1 HR.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

Received and filed staff report and conducted public hearing. The Board directed staff to not appeal the decision of the United States Department of the Interior, Bureau of Indian Affairs regarding taking 6.9 acres of land in Santa Ynez into trust. Further directed staff to work with the Tribal Council of the Santa Ynez Band of Mission Indians to conclude the details of the binding dispute resolution agreement and to return to the Board for approval as appropriate. The Board of Supervisors expressed thanks to the Tribal Council for their efforts in negotiations with the County and specifically for the inclusion of a public park in the project description provided to the Board and the public at hearing.

The motion carried unanimously.

2:00 P.M. Presentation of Resolutions and Awards**Planning Items and Public Hearings**4) PLANNING AND DEVELOPMENT

[File Reference No. 05-00011](#)

HEARING - Consider recommendations regarding the Olsen Appeal of the Planning Commission Approval of the Hacienda Vieja Lot Line Adjustment, Tentative Vesting Tract Map, Development Plan and Coastal Development Permit under case numbers 02LLA-00000-00002, 02TRM-00000-00002, 02DVP-00000-00002, 04CDP-00000-00087, [Appeal Case No. 04APL-00000-00030] located at 4865 Vieja Drive, Goleta Community Plan area, Second District, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Adopt the required findings for the project specified in the Planning Commission Action Letter dated October 22, 2004;
- b) Deny the appeal, upholding the decision of the Planning Commission to approve 02LLA-00000-00002, 02TRM-00000-00002, 02DVP-00000-00002, 04CDP-00000-00087, subject to the conditions set forth in the Action Letter dated October 22, 2004.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

Acted on as follows:

Received and filed staff report and conducted public hearing.

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

Directed the Applicant/Developer to review the possibility of modifying the two story homes into single story homes, and to meet with Second District staff and a representative of the coalition and return to the Board in two to three weeks with a compromise alternative.

The motion failed by the following vote:

Ayes: Supervisor Rose, Supervisor Carbajal

Noes: Supervisor Firestone, Supervisor Gray, and Supervisor Centeno

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

a) Adopted the required findings.

b) Denied the appeal, upholding the decision of the Planning Commission and approved 02LLA-00000-00002, 02TRM-00000-00002, 02DVP-00000-00002, 04CDP-00000-00087, subject to the conditions set forth in the Action Letter dated October 22, 2004 and added additional language to condition #2 of the map (02TRM-00000-00002), Development Plan (02DVP-00000-00002) and CDP (04CDP-00000-00087) as follows: "The Landscape Plan shall include a minimum of two to three large size screen trees (24 to 48-inch box) on each lot. The intent being to adequately screen the homes from More Mesa."

The motion carried by the following vote:

Ayes: Supervisor Carbajal, Supervisor Firestone, Supervisor Gray and Supervisor Centeno

Noes: Supervisor Rose

5) PLANNING AND DEVELOPMENT

[File Reference No. 05-00130](#)

HEARING - Consider recommendations regarding the Four Seasons Biltmore Hotel appeal of the Montecito Planning Commission's partial approval of the Dilworth/Anton Appeal of the Planning & Development Department's approval of an amendment of the Development Plan under case numbers 04APL-00000-00026 (Dilworth/Anton Appeal) and 04AMD-00000-00001 (Development Plan Amendment), regarding limited public use of the hotel's existing health spa, in addition to use by overnight hotel guests, and a reduction of four guest rooms from the maximum number allowed under the Development Plan (from 236 to 232), Montecito area, First District, as follows: (EST. TIME: 2 HRS.)

a) Adopt the required findings for the project specified in the Montecito Planning Commission's Action Letter dated January 10, 2005,

b) Accept the CEQA Exemption included in the Staff Memo to the Montecito Planning Commission dated December 3, 2004;

c) Deny the appeal and uphold the decision of the Montecito Planning Commission to partially approve 04APL-00000-00026, subject to the conditions of approval set forth in the Montecito Planning Commission's Action Letter dated January 10, 2005.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

Conducted public hearing.

- a) Adopted the required findings for the project as specified in Attachment A of the staff report of the Montecito Planning Commission, (staff report dated November 5, 2004, hearing date November 17, 2004)
- b) Accepted the CEQA Exemption included as Attachment B of the staff report to the Montecito Planning Commission, (staff report dated November 5, 2004, hearing date November 17, 2004).
- c) Granted the appeal (04APL-00000-00036) and reversed the decision of the Montecito Planning Commission (04-APL-00000-00026); and approved the amendment, 04-AMD-00000-00001, subject to the conditions of approval set forth in the Director's Action letter dated September 23, 2004 and as modified by the Montecito Planning Commission on December 15, 2004 except for the condition restricting public use of the hotel spa during the high season.

Further directed staff to expedite the processing of the Coastal Development Permit application to allow the Biltmore Hotel to restripe the northwest and back-of-house parking lots in order to meet parking requirements of the hotel development Plan (98-DP-031), and for Public Works staff to work with Biltmore representatives to develop workable solutions to the construction parking and bus turn-around issues.

The motion carried unanimously.

Adjourn to February 22, 2005

Betteravia Government Center

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

Adjourn

Announcements

<http://www.countyofsb.org>