

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

May 13, 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: Bill Vachon, Public Works

Report from Closed Session

No reportable action taken.

Approval of Minutes of the May 6, 2003 meeting

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

Administrative Agenda

Resolutions to be Presented

A-1) SUPERVISOR CENTENO

[File Reference No. 03-00456](#)

Adopt a resolution honoring the 130th Anniversary of the First United Methodist Church of Santa Maria.

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

RESOLUTION NO. 03-148.

The motion carried unanimously.

Administrative Items

A-2) AUDITOR-CONTROLLER [File Reference No. 03-00464](#)

Receive and file the A-133 Single Audit Report and Letter of Recommendations to Management for the fiscal year ending June 30, 2002.

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

A-3) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 03-00461](#)

Consider recommendations regarding a Flood Control Easement and Cost Sharing Agreement with Signature Coastal Development Company, LLC, owners of Tract Map LOM-511 located on the southeast corner of West Olive Avenue and Bodger Road, Lompoc area, Fourth District, as follows:

- a) Accept the Flood Control Easement as dedicated by Signature Coastal Development Company (Coastal Development), LLC, a California Limited Company, owners of Tract LOM-511 and direct the Clerk of the Board to endorse the Board's acceptance of said easement on the final map;
- b) Approve and authorize the Chair to execute a Cost Sharing Agreement with Coastal Development for approximately \$37,210 for cost sharing and installation of a storm drain system.

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

- a) Accepted.
- b) Approved; Chair to execute.

The motion carried unanimously.

A-4) FIRST 5, CHILDREN AND FAMILIES COMMISSION [File Reference No. 03-00466](#)

Consider recommendations regarding the acceptance of a \$75,000 Donation from the Orfalea Family Foundation, as follows:

- a) Accept a \$75,000 donation from the Orfalea Family Foundation designated for the Third Annual Spruce Up For Kids Day;
- b) Approve a Budget Revision establishing revenue and appropriation accounts earmarked for Spruce Up For Kids Day program.

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

- a) Accepted.
- b) Approved.

The motion carried unanimously.

- A-5) COUNTY EXECUTIVE OFFICE [File Reference No. 03-00470](#)
Approve Budget Revision requests. (SEE EXHIBIT A WITH POSTED AGENDA)
A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Approved. The motion carried unanimously.
- A-6) COUNTY EXECUTIVE OFFICE [File Reference No. 03-00462](#)
Approve and execute the License Agreement between the County of Santa Barbara and California State University at Northridge (CSUN) to allow CSUN to use the County Employee's University for the purpose of presenting instruction in the Public Sector Management Degree program for employees of the County of Santa Barbara, as well as other individuals approved by these agencies for a period of approximately three years.
A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Approved; Chair to Execute. The motion carried unanimously.
- A-7) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 03-00457](#)
Accept the request of the Lompoc Valley Business Center to remove the organization from membership in the Economic Development Advisory Committee as it has temporarily ceased operations.
A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Accepted. The motion carried unanimously.
- A-8) PLANNING AND DEVELOPMENT [File Reference No. 03-00467](#)
Authorize the issuance of a grading permit for Tract 14,497, Las Brisas at More Mesa, pursuant to County Code Chapter 21-8-C4, prior to recordation of the Final Map, upon approval of Planning and Development, Second District.
A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Authorized. The motion carried unanimously.
- A-9) PUBLIC HEALTH [File Reference No. 03-00458](#)
Receive a progress report on Tobacco Settlement funding and programs.
A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Received and filed. The motion carried unanimously.
- A-10) PUBLIC WORKS [File Reference No. 03-00463](#)
Approve and authorize the Chair to execute Amendment No. 1 to the existing agreement with MNS Engineers Incorporated (a local vendor), for engineering plans, specification and estimates for the Final Design of North Jameson Class II Bike Lanes and Bridge Replacements (Project Number 863027) in the amount of \$170,000, for a total contract of \$641,964, First District.
A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Approved; Chair to Execute. The motion carried unanimously.
- A-11) SHERIFF [File Reference No. 03-00450](#)
Authorize the County Purchasing Agent to procure one Radio Vehicle/ Console Assembly with Five Watt Video from Remotec, Inc in the amount of \$25,597.96, without being required to conduct a Formal Bid Process.

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

Board of SupervisorsA-12) SUPERVISOR GRAY[File Reference No. 03-00468](#)

Approve the appointment of Alice M. Down to the Commission for Women, Fourth District.

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

A-13) SUPERVISOR MARSHALL[File Reference No. 03-00469](#)

Approve the appointment of Mary Jane Ingalls to the Human Relations Commission, Third District.

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

Hearing Requests

- A-14) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 03-00460](#)

Consider recommendations regarding the Flood Control Benefit Assessment for Fiscal Year 2003-04, All Districts, as follows:

- a) File the CEQA Notice of Exemption for the Flood Control Benefit Assessment Program for FY 2003-04;
- b) Set a hearing for June 3, 2003, as follows:
 - i. Consider the introduction (First Reading) of an ordinance amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services;
 - ii. Receive Report regarding Flood Control Benefit Assessment for Fiscal Year 2003-04 and direct recordation;
 - iii. Receive and file an update from the March 1996 Voter Approved South Coast Benefit Assessment Increase Measure;
- c) Set a hearing for June 17, 2003, as follows:
 - i. Make a determination upon each assessment described in the report ordered filed by the Board at the June 3, 2003 meeting;
 - ii. Adopt a Resolution confirming Flood Control Benefit Assessment for Fiscal Year 2003-04 and authorize the Clerk of the Board to record a certified copy;
 - iii. Consider the adoption (Second Reading) of an Ordinance amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services, imposing Flood Control Benefit Assessments for Fiscal Year 2003-04.

A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: a) Received and filed.

b) Hearing set for June 3, 2003 (EST. TIME 10 MIN.)

c) Hearing set for June 17, 2003 (EST. TIME 10 MIN.)

The motion carried unanimously.

- A-15) PARKS [File Reference No. 03-00459](#)

Set a hearing to consider adoption of resolutions revising fees at Cachuma Lake, Jalama Beach, and for group picnic areas in the day use parks.

A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: May 27, 2003 (EST. TIME 15 MIN.) The motion carried unanimously.

- A-16) PLANNING AND DEVELOPMENT [File Reference No. 03-00451](#)

Set a hearing to consider the Schaub Appeal of Planning and Development's Denial of a proposed

new guesthouse under 02CDH-00000-00012 (03APL-00000-00007) located at Parcel 27 in Hollister Ranch, Third District, as follows:

- a) Adopt the required findings for the project, specified in the Zoning Administrator Action Letter dated February 18, 2003;
- b) Deny the appeal, upholding the Zoning Administrator's denial of Coastal Development Permit application 02CDH-00000-00012.

A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: June 3, 2003 (EST. TIME 60 MIN.) The motion carried unanimously.

A-17) PLANNING AND DEVELOPMENT

[File Reference No. 03-00371](#)

Set a hearing to consider the Appeal of the Zoning Administrator's Approval of the Santa Claus Lane Road Renaming located off Highway 101 near Padaro Lane in the Summerland area (02RDN-00000-0000-00005) (APNs 005-450-001, -002, -003, -006, -007, -008, -009, -012, -013, -014, and -015), First District, as follows:

- a) Adopt the required findings for the project, specified in the Zoning Administrator Action Letter dated February 21, 2003;
- b) Deny the appeal, upholding the Zoning Administrator's approval of the Road Renaming 02RDN-00000-00005.

A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: June 17, 2003 (EST. TIME 45 MIN.) The motion carried unanimously.

A-18) PLANNING AND DEVELOPMENT

[File Reference No. 03-00453](#)

Set hearing to consider zoning ordinance text amendments to implement Government Code Section 65852.2 by amending the existing regulations pertaining to the permitting and appeal procedures for attached and detached residential second units in the unincorporated portions of the County: Case Nos. 03ORD-00000-00003 (Article II Coastal Zoning Ordinance); 03ORD-00000-00003 (Article III Inland Zoning Ordinance) and 03ORD-00000-00004 (Article IV Montecito Zoning Ordinance), as follows:

- a) Find that these amendments are categorically exempt from the California Environmental Quality Act pursuant to Section 15282(i) of the State Guidelines for Implementation of CEQA;
- b) Adopt findings for approval of the proposed amendments;
- c) Adopt a Resolution and Ordinance 03ORD-00000-00002 amending Article II;
- d) Adopt 03ORD-00000-00003 amending Article III;
- e) Adopt 03ORD-00000-00004 amending Article IV.

A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: May 27, 2003 (EST. TIME 2 HOURS) The motion carried unanimously.

A-19) PUBLIC WORKS

[File Reference No. 03-00449](#)

Set a hearing to consider recommendations regarding the adoption of a Resolution of Public

Necessity to condemn a portion of APN 007-340-054 (County Project No. 863027) (Real Property Folio No. YS 3363) as part of the Jameson Lane Bike Lane and Bridge Replacement Project, First District, as follows:

- a) Adopt a Resolution rescinding Resolution No. 03-116 adopted April 4, 2003 to declare a public necessity for the taking of a Permanent Easement on a portion of APN 007-340-054 and initiate eminent domain proceedings to condemn such Easement;
- b) Approve the Revised Addendum to the Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) guidelines for the acquisition of the subject Easement;
- c) Find the addendum and the mitigated Negative Declaration comply with CEQA and are adequate for the revision to the project.

A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: May 20, 2003 (EST. TIME 5 MIN.) The motion carried unanimously.

A-20) PUBLIC WORKS

[File Reference No. 03-00454](#)

Consider recommendations regarding County Service Area 3, County Service Area 31 and North County Lighting District Benefit Assessment for Fiscal Year 2003-04, Second, Third, Fourth and Fifth Districts, as follows:

- a) Adopt resolution setting a public hearing for June 3, 2003 regarding County Service Area 3, County Service Area 31 and North County Lighting District;
- b) Receive and file a Fixed Charge Fee report regarding FY 2003-04 proposed benefit assessment for County Service Area 3, County Service Area 31 and North County Lighting District;
- c) Approve Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act Guidelines.

A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: June 3, 2003 (EST. TIME 5 MIN.) The motion carried unanimously.

A-21) PUBLIC WORKS

[File Reference No. 03-00455](#)

Set a hearing to consider recommendations maintaining County Service Area 12 (Mission Canyon Sewer District) Sewer Connection Fees, Service and Administration Charges on the Tax Roll for Fiscal Year 2003-04, First District, as follows:

- a) Receive Report entitled Mission Canyon Sewer District Fixed Charges Fee Report for Fiscal Year 2003-04;
- b) Approve Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act Guidelines;
- c) Set a hearing to adopt a resolution establishing service charges and connection fees for County Service Area 12 (Mission Canyon Sewer District) and provide for collection on the Tax Rolls for Fiscal Year 2003-04.

A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: June 3, 2003 (EST. TIME 5 MIN.) The motion carried unanimously.

A-22) SUPERVISOR MARSHALL and SUPERVISOR GRAY[File Reference No. 03-00401](#)

Set a hearing to review and clarify the definition of the term 'premises' as used in the Santa Barbara County Agricultural Preserve Program Uniform Rule No. 9, paragraph 4 as applied to the White Hawk Winery Application.

A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: June 3, 2003 (EST. TIME 60 MIN.) The motion carried unanimously.

Approval of Administrative Agenda**Public Comment Period**

RE: Support for Libraries - Hinda Beaman addressed the Board.

RE: Health Care Issues - Sister Janet Corcoran addressed the Board.

RE: Smoking Cessation Programs - Janet Ames addressed the Board.

RE: Various Issues - Donna Earnest addressed the Board.

RE: Bates Beach Law Enforcement Issues - Bruce Rittenhouse addressed the Board.

RE: Presentation of Award to Former 5th District Supervisor Tom Urbanske for Work on Resource Conservation Issues - Jeff Rodriguez addressed the Board.

Departmental Agenda -- Public Hearings

- 1) COUNTY EXECUTIVE OFFICE and [File Reference No. 03-00382](#)
AUDITOR-CONTROLLER

HEARING - Consider recommendations regarding Fiscal Year 2002-03 Third Quarter Budget Update and Forecast of Financial Condition on June 30, 2003, as follows: (EST. TIME: 45 MIN.)

- a) Accept and file, per the provisions of Government Code Section 29126.2, the Fiscal Year 2002-03 Financial Status Report as of March 31, 2003, showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors;
- b) Accept an update on the forecasted FY 02-03 financial condition on 6/30/03, and a presentation on significant current budget issues;
- c) Approve budget revisions in the amount of \$1 million to the Salary Designation and \$902,500 to various Public Safety departments; all funds drawn from the General Fund contingency.

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

- a) Accepted and filed.**
- b) Accepted and filed.**
- c) Approved budget revision requests. The motion carried unanimously.**

- 2) EMPLOYEES' RETIREMENT SYSTEM [File Reference No. 03-00465](#)

HEARING - Adopt the Board of Retirement recommendations, based on the Actuarial Report for the period ending December 31, 2002, increasing employer retirement contribution rate by 2.05 % to 13.92% to be effective July 1, 2003. (EST. TIME: 10 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

- 3) COUNTY EXECUTIVE OFFICE [File Reference No. 03-00452](#)

HEARING - Continue Board of Retirement Recommendations (Departmental Item No. 2) regarding Actuarial Report for period ended December 31, 2002 pending a recommendation and analysis of the County Administrator and then take action during budget adoption in the second week of June 2003. (EST. TIME: 10 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

No action taken.

4) PLANNING AND DEVELOPMENT[File Reference No. 03-00292](#)

HEARING - Consider the Loma Vineyards Comprehensive Plan Amendment, Rezone and Agricultural Preserve Contract (Case Nos. 02GPA-00000-00004, 02RZN-00000-00003, and 02AGP-00000-00022) located on the northwest intersection of Palmer Road and Highway 101, known as 7455 Palmer Road (APN 101-060-060), Los Alamos area, Third District, as follows: (EST. TIME: 30 MIN.)

- a) Adopt the required findings for the project including CEQA findings (Attachment A);
- b) Accept the exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15061(b)(3) (Attachment B);
- c) Adopt a resolution and approve 02GPA-00000-00004 designating the subject property as Agriculture, 40 acres minimum parcel size (A-II-100) on the Comprehensive Plan (Attachment C);
- d) Adopt an ordinance and approve 02RZN-00000-00003 to rezone the subject property as AG-II-100 under the Article III Zoning Ordinance (Attachment D);
- e) Approve the creation of a new prime Agricultural Preserve Contract, as follows:
 - i. Accept the exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15317 (Attachment E);
 - ii. Execute an agreement creating Agricultural Preserve, 02AGP-00000-00022 (Attachment F);
 - iii. Adopt a resolution creating Agricultural Preserve, 02AGP-00000-00022 (Attachment G).

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

a) **Adopted.**

b) **Accepted.**

c) **Adopted.**

RESOLUTION NO. 03-149

d) **Adopted.**

ORDINANCE NO. 4492

e) **Approved and adopted as follows:**

i) **Accepted.**

ii) **Approved; Chair to execute.**

iii) **Adopted.**

RESOLUTION NO. 03-150

The motion carried by the following vote:

Ayes: 4 - Supervisor Schwartz, Supervisor Marshall, Supervisor Gray and Supervisor Centeno
Absent: 1 - Supervisor Rose

5) SOCIAL SERVICES [File Reference No. 03-00400](#)

HEARING - Accept a report from the Adult and Aging Network (AAN) on the status of older adults in Santa Barbara County. (EST. TIME: 30 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

Received and filed report.

6) BOARD OF DIRECTORS, LAGUNA COUNTY [File Reference No. 03-00366](#)
SANITATION DISTRICT

HEARING - Consider recommendations regarding Laguna County Sanitation District Ordinance and resolution relative to collection of service charges, connection fees and trunk line fees on the tax rolls, Fourth and Fifth Districts, as follows: (EST. TIME: 15 MIN.)

a) Consider the introduction (First Reading) of an ordinance amending Ordinance No. 3130 which established service charges, connection fees and other rules and regulations for the Laguna County Sanitation District;

b) Approve the Notice of Exemption pursuant to Section 15273 of the California Environmental Quality Act (CEQA) Guidelines.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Acted on and continued, as follows: a) Read by title, waived reading of ordinance in its entirety. Introduction approved; Adoption (second reading) set for June 3, 2003.

b) Approved. The motion carried by the following vote:

Ayes: 4 - Supervisor Schwartz, Supervisor Marshall, Supervisor Gray and Supervisor Centeno
Absent: 1 - Supervisor Rose

7) BOARD OF DIRECTORS, LAGUNA COUNTY [File Reference No. 03-00367](#)
SANITATION DISTRICT

HEARING - Consider the introduction (First Reading) of an ordinance amending Chapter 29 of the County Code pertaining to new definitions, prohibited wastes, backflow prevention devices and the use of recycled water, Fourth and Fifth Districts. (EST. TIME: 15 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Acted on and continued, as follows: Read by title, waived reading of ordinance in its entirety. Introduction approved; adoption (second reading) set for June 3, 2003. The motion carried by the following vote:

Ayes: 4 - Supervisor Schwartz, Supervisor Marshall, Supervisor Gray and Supervisor Centeno
Absent: 1 - Supervisor Rose

Adjourn to May 20, 2003

County Administration Building
Board Hearing Room
105 East Anapamu Street , Fourth Floor
Santa Barbara

Adjourn

Announcements

The meeting of May 13, 2003, will be telecast live on Government Access TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, May 15, 2003, at 5:00 PM on GATV channel 20.

<http://www.countyofsb.org>