County of Santa Barbara BOARD OF SUPERVISORS

ACTION SUMMARY March 01, 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: Mark Schaedler, Auditor-Controller

Report from Closed Session

County Counsel made the following announcement:

By a vote of 5-0, the Board of Supervisors has authorized Santa Barbara County, in coordination with Sonoma County, to seek intervention as defendants in Center For Biological Diversity and Environmental Defense Center vs. United State Fish and Wildlife Service and Gail A. Norton, Case No. C-04 4324 FMS, a lawsuit pending in the United States District Court for the Northern District of California. This lawsuit challenges the final rules published by the United States Fish and Wildlife Service for the California Tiger Salamander (CTS) on August 4, 2004. Santa Barbara and Sonoma Counties have retained the Law firm of Crowell & Moring to represent their interests in intervention, at a cost not to exceed \$5,000 for each county.

Details of this announcement may be obtained in the Office of County Counsel.

Approval of Minutes of the February 22, 2005 meeting

A motion was made by Supervisor Centeno, seconded by Supervisor Gray, to Approve the minutes, as amended

The Board clarified the action taken on Departmental Item 4) as reflected in the minutes of the February 22, 2005 meeting as follows: The sentence "Alcohol Drug and Mental Health Services - Proposed Children's Services Building" should be amended to read "Alcohol Drug and Mental Health Services - Building Acquisition in Santa Barbara."

The motion carried unanimously.

Administrative Agenda

Resolutions to be Presented at 2:00 PM

A-1) SUPERVISOR CARBAJAL

File Reference No. 05-00240

Adopt a Resolution of Commendation for Elizabeth "Betsy" Gallery, Alcohol Drug and Mental Health Services, upon her retirement after 12 years of service to the County of Santa Barbara.

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

RESOLUTION NO. 05-048

The motion carried unanimously.

A-2) SUPERVISOR CARBAJAL

File Reference No. 05-00241

Adopt a resolution recognizing March 7, 2005 as Arbor Day.

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

RESOLUTION NO. 05-049

The motion carried unanimously.

A-3) SUPERVISOR ROSE

File Reference No. 05-00259

Adopt a resolution proclaiming March 2005 as "Professional Social Workers Month".

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

RESOLUTION NO. 05-050

The motion carried unanimously.

A-4) <u>SUPERVISOR ROSE</u>

File Reference No. 05-00242

Adopt a Resolution of Commendation for Daniel H. Pedersen, Parks Department, as Santa Barbara County Employee of the Month for March 2005.

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

RESOLUTION NO. 05-051

The motion carried unanimously.

Administrative Items

A-5) <u>AGRICULTURAL COMMISSIONER</u>

File Reference No. 05-00245

Kari Campbell-Bohard, as California Women for Agriculture representative;

Dorothy Laine, as California Women for Agriculture alternate;

Andrew Rice as Grower-Shipper Vegetable Association alternate.

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

A-6) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

File Reference No. 05-00247

Consider recommendations regarding the Goleta Beach Parking Lot Repair Project, Second District, as follows:

- a) Approve the Goleta Beach Parking Lot Repair Project and the attached CEQA Notice of Exemption;
- b) Authorize the Public Works Director to advertise and receive bids for the project.

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

- a) Approved.
- b) Authorized.

The motion carried unanimously.

A-7) <u>COUNTY EXECUTIVE OFFICE</u>

File Reference No. 05-00263

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

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

A-8) <u>GENERAL SERVICES</u>

File Reference No. 05-00252

Consider recommedations regarding Fire Station 18 Grant Deeds (Folio 002282), Gaviota area, Third District, as follows:

- a) Approve and execute the grant deed, covenant and agreement and authorize the Clerk of the Board to sign the certificate of acceptance accepting the Fire Station 18 parcel and Main Access Road from Chevron U.S.A.;
- b) Approve and execute the grant of easements and agreement for County Fire Station Number 18 and authorize the Clerk of the Board to sign the certificate of acceptance accepting the easements associated with Fire Station 18 from Arguello Inc., to provide for the continuing operation of the County's Fire Station 18 in Gaviota, adjacent to Arguello's Gaviota Oil Processing Plant;
- c) Approve and execute the bill of sale accepting ownership of the two water tanks and associated equipment required to continue operations at Fire Station 18.

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

a) through c) Approved; Chair to execute.

The motion carried unanimously.

A-9)

File Reference No. 05-00250

Approve and execute an agreement with Sydney Bennett to provide services as a Deputy Public Defender for the period of March 2, 2005 through March 1, 2006, in an amount not to exceed \$77,688.

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

A-10)

File Reference No. 05-00253

Adopt a Personnel Resolution effective February 28, 2005 to add one (1.0 FTE) Departmental Analyst-Program-Restricted, Class 2159, Range 5596 (\$3,954-\$4,827 per month) for the Public Defender's Office.

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

RESOLUTION NO. 05-052

The motion carried unanimously.

A-11) PUBLIC HEALTH

File Reference No. 05-00243

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

A-12) SHERIFF

File Reference No. 05-00244

Approve the transfer of ownership of Sheriff Canine, "Ursus", to Sergeant Brad McVay in the amount of \$1.

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

A-13) <u>SHERIFF</u>

File Reference No. 05-00246

Receive and file the Annual Income Statement Reports for Inmate Services Program for fiscal year 2003-2004.

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

Board of Supervisors

A-14) <u>SUPERVISOR CARBAJAL</u>

File Reference No. 05-00248

Approve the reappointment of Marilyn Anticouni to the Assessment Appeals Board No. 1, First District.

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

A-15) SUPERVISOR ROSE

File Reference No. 05-00261

Approve the appointment of Marc J. McGinnes to the Santa Barbara County Planning Commission, Second District.

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

A-16) <u>SUPERVISOR ROSE</u>

File Reference No. 05-00260

Approve the appointment of Barbara H. Burger to the Arts Commission, Second District.

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

A-17) SUPERVISOR FIRESTONE

File Reference No. 05-00257

Approve the appointment of Lynn Schiffmacher to the Human Services Commission, Third District.

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

Hearing Requests

A-18) AGRICULTURAL COMMISSIONER

File Reference No. 05-00262

Set a hearing to receive a report on Department Operations for the Office of the Agricultural Commissioner

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: April 12, 2005 in Santa Maria (EST. TIME: 60 MIN.) The motion carried unanimously.

A-19) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES

File Reference No. 05-00258

Set a hearing to receive an informational presentation on the implementation plan for new Mental Health Services Act (Proposition 63).

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: March 22, 2005 in Santa Maria (EST. TIME: 45 MIN.) The motion carried unanimously.

A-20) COUNTY EXECUTIVE OFFICE and

File Reference No. 05-00239

AUDITOR-CONTROLLER

Set a hearing to receive an update regarding the Mission County formation review process.

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: March 8, 2005 in Santa Maria (EST. TIME: 60 MIN.) The motion carried unanimously.

A-21) HOUSING AND COMMUNITY DEVELOPMENT

File Reference No. 05-00255

Set a hearing to consider authorizing the Housing and Community Development Department, working with an interdepartmental team, to investigate attainable and affordable housing strategies utilizing a possible lease of County owned land and County issuance of Mortgage Revenue Bonds.

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: April 5, 2005 (EST. TIME: 90 MIN.) The motion carried unanimously.

A-22) HOUSING AND COMMUNITY DEVELOPMENT

File Reference No. 05-00256

Set a hearing to consider recommendations regarding a 10-year plan to end chronic homelessness, as follows:

- a) Authorize the Housing and Community Development Department to develop a 10-year plan to end chronic homelessness;
- b) Authorize Housing and Community Development to hire a contracted employee to coordinate an intergovernmental committee, including representatives from the Cities of Santa Maria, Lompoc and Santa Barbara to develop a 10-year plan to end chronic homelessness.

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: March 8, 2005 in Santa Maria (EST. TIME: 30 MIN.) The motion carried unanimously.

A-23) PLANNING AND DEVELOPMENT

File Reference No. 05-00249

Set a hearing to receive a quarterly report on energy platform/facility inspections, audits and emergency response drills.

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: March 22, 2005 in Santa Maria (EST. TIME: 15 MIN.) The motion carried unanimously.

A-24) SUPERVISOR CARBAJAL

File Reference No. 05-00251

Set a hearing to receive the First 5 Santa Barbara Children and Families Commission 2003-2004 Annual Report.

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: March 22, 2005 in Santa Maria (EST. TIME: 45 MIN.) The motion carried unanimously.

A-25) PROBATION

File Reference No. 05-00264

Consider recommendations regarding an application for 2005 Byrne Justice Assistance Grant (JAG) Funds, as follows:

- a) Authorize the County Administrator to execute the Interlocal Agreement between the City of Santa Barbara and the County of Santa Barbara for the 2005 Byrne Justice Assistance Grant (JAG) program;
- b) Authorize the Chief Probation Officer to apply for and accept the 2005 Byrne Justice Assistance Grant (JAG).

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

a) and b) Authorized.

The motion carried unanimously.

A-26) GENERAL SERVICES

File Reference No. 05-00265

Set a hearing to receive an update on the Countywide Space Plan.

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: March 8, 2005 in Santa Maria (EST. TIME: 45 MIN.) The motion carried unanimously.

Approval of Administrative Agenda

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, 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: Social Security System - Richard Robinson addressed the Board.

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

RE: "Liberty" Coin - Floyd Meyer addressed the Board.

RE: Draft Inter-Governmental Agreement and the Santa Ynez Valley - C.J. Jackson addressed the Board.

RE: Report on Goleta Beach Parking Lot Repair - Public Works Director Phil Demery addressed the Board.

Departmental Agenda -- Public Hearings

1) <u>COUNTY EXECUTIVE OFFICE, COUNTY COUNSEL and</u> <u>COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES</u>

File Reference No. 05-00075

HEARING - Consider the adoption (second reading) of the ordinance to Amend Chapter 2, Article X of the Santa Barbara County Code Relating to the Establishment and Duties, Responsibilities and Authorities of the County Executive Officer. (EST. TIME: 5 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

ORDINANCE NO. 4564

The motion carried unanimously.

2) PLANNING AND DEVELOPMENT

File Reference No. 05-00180

HEARING - Receive a report from the Appeals Group of the Process Improvement Team regarding its recommendations for changes to appeal and noticing procedures. (EST. TIME: 45 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

Acted on as follows:

A motion was made by Supervisor Firestone, Seconded by Supervisor Gray as follows:

Requested that the County Auditor-Controller report to the Board regarding the total cost to date of the Process Improvement Team effort and provide an estimated cost to completion of the process.

The motion carried by the following vote:

Ayes: 4 - Supervisor Rose, Supervisor Firestone, Supervisor Gray, Supervisor Centeno Abstentions: 1 - Supervisor Carbajal

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

That the action taken by the Board of Supervisors on the above matter be reconsidered.

The motion carried unanimously.

A motion was made by Supervisor Firestone, Seconded by Supervisor Gray as follows:

Requested that the County Auditor-Controller report to the Board regarding the total cost to date of the Process Improvement Team effort and provide an estimated cost to completion of the process.

The motion carried unanimously.

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

Directed staff to convene a sub-committee consisting of the County Administrator, County Counsel and Planning and Development and to report back to the Board with analysis and options for policy decisions on issues including but not limited to the following:

Options for providing early public involvement in the current ministerial permit process and implementing the recommendation to move up and coordinate the time frame for appeals of LUP and preliminary BAR approvals; and

Report on use of design standards to enhance the ministerial nature of the permit process and, to the extent feasible, eliminate appeals of ministerial permits; and

If design standards are not used, identify options for filtering or rejecting appeals that raise no substantial issue; and

An analysis of the differences between (a) stand-alone ministerial permits (i.e. existing legal lot; no previously imposed county design standards) and (b) ministerial permits that follow-up discretionary approvals (e.g. LUPs after final map and development plan approvals). For each category, identify policy options and legal issues related to making land use permit decisions non-appealable and imposing different standards for various locations within the county. [Issues include making PC or ZA appeal body; eliminating dual appeals on follow up permits in category (b).];

The motion carried unanimously.

11:00 AM TIME CERTAIN

3) <u>COUNTY EXECUTIVE OFFICE</u>

File Reference No. 05-00122

HEARING - Adopt a resolution declaring March as Women's History Month, and present awards honoring one organization from each Supervisorial District that advocates for women in the County. (Reception to follow in the Board of Supervisors Conference Room) (EST. TIME: 45 MIN.)

COUNTY ADMINISTRATOR'S RECOMMENDATION: APPROVE

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

RESOLUTION NO. 05-053

The motion carried unanimously.

2:00 P.M. Presentation of Resolutions and Awards

Planning Items and Public Hearings

4) PARKS

File Reference No. 05-00177

HEARING - Consider recommendations regarding amending Santa Barbara County Code, Chapter 26-49 to authorize the County Parks Director to establish off-leash dog programs at various Parks and Open Spaces, as follows: (EST. TIME: 45 MIN.)

- a) Consider the introduction (first reading) of an ordinance amending Chapter 26, Article III, Animal Regulations, Sec. 26-49, Dogs Required on Leash to permit dog off-leash use by resolution of the Board where it has been found to be appropriate by the Director of Parks;
- b) Set second reading for March 22, 2005;
- c) Contingent upon the adoption of the ordinance, approve permanent off-leash dog hours at Toro Canyon Park Meadow, Tucker's Grove at Kiwanis Meadows, Tabano Hollow (Lawn Area Only), Patterson open space and Isla Vista Park/Sea Lookout as allowed by Chapter 26-49;
- d) Approve the Notice of Exemption pursuant to section 15061 (b,3) and 15303 (e) of the California Environmental Quality Act (CEQA).

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

Received and filed staff report and conducted public hearing.

- a) and b) Read by title; waived reading of the ordinance in its entirety. Introduction of ordinance approved; adoption (second reading) set for March 22, 2005.
- c) Conceptually approved. Continued to March 22, 2005.
- d) Approved.

The motion carried unanimously.

5) <u>PLANNING AND DEVELOPMENT</u>

File Reference No. 04-00730

HEARING - Consider the Sanders (Sierra Club)/Krolak appeal of the Zoning Administrator's approval of Conditional Use Permit 00-CP-68, Caltrans Rincon Bridge Replacements and Highway 150 realignment along Rincon Creek (APNs 001-200-023, 001-200-024, 001-440-006, 001-450-002, and 001-450-007), Carpinteria area, First District, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Adopt the required findings for the project, as specified in the Zoning Administrator action letter dated June 30, 2004, including CEQA findings;
- b) Deny the appeal, upholding the Zoning Administrator's approval of Conditional Use Permit 00-CP-68;

c) Grant de novo approval of the revised project subject to the modified conditions Attachment G (to the Board Letter dated March 1, 2005), thereby satisfying the procedure for Emergency Permits Pursuant to Article II Section 35-171.5.

COUNTY ADMINISTRATOR'S RECOMMENDATION: POLICY

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

Received and filed staff report and conducted public hearing.

- a) Adopted the revised findings as reflected in Planning and Development memorandum to the Board of Supervisors dated February 28, 2005.
- b) Denied the Appeal.
- c) Granted de novo approval.

The motion carried unanimously.

Adjourn to March 8, 2005

Betteravia Government Center Board Hearing Room 511 East Lakeside Parkway Santa Maria

Adjourn

Announcements

THE MEETING OF MARCH 1, 2005 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL 20 AT 9:00 A. M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, MARCH 3, 2005 AT 5:00 P.M. ON GATV CHANNEL 20.

http://www.countyofsb.org