

County of Santa Barbara
BOARD OF SUPERVISORS

ACTION SUMMARY

July 26, 2005

**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.

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

CONVENED AT 9:43 AM

Roll Call

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

Invocation: Jill Cralley, Public Health Department

Report from Closed Session

By a vote of 4-1 (Supervisor Carbajal voting: No), the Board determined that it will continue negotiations on the 6.9 acres fee to trust acquisition agreement and has authorized the County to retain outside Counsel to file an amicus brief in the pending 6.9 acre (IBIA) Interior Board of Indian Appeals proceeding.

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

Approval of Minutes of the July 19, 2005 meeting

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

Administrative Agenda

Honorary Resolutions

A-1) SUPERVISOR GRAY [File Reference No. 05-00749](#)

Adopt a resolution honoring the Lompoc Chamber of Commerce and Visitors Bureau Woman of the Year for 2005.

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

RESOLUTION NO. 05-217

The motion carried unanimously.

A-2) SUPERVISOR GRAY [File Reference No. 05-00748](#)

Adopt a resolution honoring the Lompoc Chamber of Commerce and Visitors Bureau Man of the Year for 2005.

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

RESOLUTION NO. 05-218

The motion carried unanimously.

A-3) SUPERVISOR ROSE [File Reference No. 05-00747](#)

Adopt a resolution honoring Michele Wakin for her dedicated service to the homeless community of Santa Barbara County.

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

RESOLUTION NO. 05-219

The motion carried unanimously.

Administrative Items

A-4) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 05-00751](#)

Consider recommendations regarding a contract amendment with Seneca Residential and Day Treatment Center to continue to provide residential treatment for children suffering from severe emotional disturbances that cannot be treated in the community, as follows:

a) Approve and execute a contract amendment, with Seneca Residential and Day Treatment Center (not a local vendor), extending the term from June 30, 2005 to June 30, 2006, in the amount of \$186,000, for a total in the amount of \$321,000;

b) Authorize the Director of ADMHS to approve amendments to the proposed contracts, 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) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES[File Reference No. 05-00752](#)

Consider recommendations regarding an amendment of the State Mental Health Plan Contract allocation for FY 2004-05, as follows:

- a) Approve and execute an amendment to the State Department of Mental Health (DMH) allocation for specialty mental health services for Medi-Cal eligible clients, increasing the allocation for FY 2004-05 (July 1, 2004 through June 30, 2005) by \$30,733, for a total contract not to exceed \$714,511;
- b) Authorize the County Administrator to sign the attached California Standard Agreement from the State DMH, accepting the amended allocation amount of \$714,511, to be used for specialty mental health services;
- c) 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) and c) Authorized.

The motion carried unanimously.

A-6) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT[File Reference No. 05-00755](#)

Authorize the Chair to execute Amendment No. 1 to the Agreement with Fugro West Inc., (not a local vendor) to increase the amount by \$15,000 for a total not to exceed \$152,000 and to extend the term to December 31, 2005 to continue construction inspection services needed to complete the West Green Canyon Drainage Improvement Project and the City of Santa Maria's Main Street Trunk Line Project (SM8205), Fourth District.

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

A-7) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT[File Reference No. 05-00756](#)

Authorize the Chair to execute Amendment No. 1 to the Agreement with Fugro West Inc., (not a local vendor) to extend the term to December 31, 2005 to continue construction inspection services needed to complete the El Encanto Debris Basin Project (SC8308), First District.

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

A-8) COUNTY EXECUTIVE OFFICE[File Reference No. 05-00762](#)

Consider the Board of Supervisors' Response to the 2004-05 Grand Jury Report "No Vacancy - the Need for a North County Jail", as follows:

- a) Adopt the responses in Attachment 1 as the Board of Supervisors' responses to the 2004-05 Grand Jury Report "No Vacancy";
- b) Authorize the Chair to execute the letter included in Attachment 1 forwarding the responses to the

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

a) Adopted.

b) Authorized; Chair to execute.

The motion carried unanimously.

A-9)

FIRE

[File Reference No. 05-00759](#)

Approve and execute an agreement between the Santa Barbara County Fire Department and the City of Buellton which provides financial support for a mutually beneficial increase in staffing for Fire Station No. 31 located at 168 W. Highway 246 in Buellton, Third District.

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

A-10)

HOUSING AND COMMUNITY DEVELOPMENT

[File Reference No. 05-00763](#)

Authorize the Director of Housing and Community Development to sign and execute a Subordination Agreement applicable to a \$232,484 loan made by the County to Transition House in 1992.

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

A-11)

PROBATION

[File Reference No. 05-00753](#)

Consider recommendations regarding continuing the Santa Barbara County Narcotic Suppression Program (formerly the Probation/District Attorney Narcotics Suppression Program), as follows:

a) Authorize the Chief Probation Officer to submit, sign, and accept a grant for the Juvenile Santa Barbara County Narcotic Suppression Program in the amount of \$238,884 for the period of July 1, 2005 to June 30, 2006 from the Governor's Office of Emergency Services (OES);

b) Authorize the County Executive Officer to sign the Certification of Assurance of Compliance as part of the grant application.

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

a) and b) Authorized.

The motion carried unanimously.

A-12)

PUBLIC HEALTH

[File Reference No. 05-00754](#)

Approve and execute an agreement with Lawrence J. Bines, M.D., P.C. (a local vendor) to provide obstetrical and gynecological services in the Public Health Department's South Coast and Lompoc regions for the period July 1, 2005 through June 30, 2006, in an amount not to exceed \$698,540.

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

A-13) PUBLIC WORKS[File Reference No. 05-00760](#)

Consider recommendations regarding solid waste management agreements related to the City of Goleta, as follows:

a) Approve amendments to existing exclusive franchise agreements to redefine the areas serviced, as follows:

i. Approve and execute the Second Amended and Restated Agreement Between the County of Santa Barbara and BFI Waste Systems of North America, Inc. for Exclusive Solid Waste, Recyclables and Organics Collection and Transportation to Disposal and Processing Facilities and Organics Sites for Zone Two;

ii. Approve and execute the Second Amended and Restated Agreement Between the County of Santa Barbara and MarBorg Industries, Inc. for Exclusive Solid Waste, Recyclables and Organics Collection and Transportation to Disposal and Processing Facilities and Organics Sites for Zone Three;

b) Approve and execute the amended Joint Exercise of Powers Agreement establishing the Santa Barbara County Regional Integrated Waste Management Reporting Authority, attached as Exhibit C, to allow the City of Goleta to establish their own refuse and recycling franchise agreements;

c) Approve and execute an Agreement for the County of Santa Barbara to provide Solid Waste Community Programs and Household Hazardous Waste Drop-Off Services to the City of Goleta.

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

a) i. and ii.) Approved; Chair to execute.

b) and c) Approved; Chair to execute.

The motion carried unanimously.

A-14) SHERIFF[File Reference No. 05-00757](#)

Approve the destruction of records request for disposal of Criminal Records no longer required by law to be maintained.

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

A-15) SHERIFF[File Reference No. 05-00758](#)

Approve the destruction of records request for disposal of Civil Records no longer required by law to be maintained.

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

Hearing Requests

A-16) GENERAL SERVICES [File Reference No. 05-00750](#)

Set a hearing to receive presentation on the status of the Workers' Compensation Fund for the County of Santa Barbara.

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: August 16, 2005 (EST. TIME: 30 MIN.) The motion carried unanimously.

A-17) PLANNING AND DEVELOPMENT [File Reference No. 05-00761](#)

Set a hearing to accept the Coastal Commission's resolution of certification for the County's Residential Second Unit Ordinance, including modifications, as follows:

- a) Receive notice of the California Coastal Commission's certification of the Residential Second Unit Ordinance Local Coastal Program Amendment (MAJ-2-03) with suggested modifications;
- b) Adopt a resolution to acknowledge receipt of the California Coastal Commission's certification with modifications, adopt the LCP Amendment with the suggested modifications, and authorize Planning & Development to transmit the adopted Resolution to the Coastal Commission.

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: August 16, 2005 (EST. TIME: 15 MIN.) The motion carried unanimously.

A-18) GENERAL SERVICES [File Reference No. 05-00764](#)

Accept the certified copy of the Grant Deed to the real property conveyed from Richard I. Yankwich and Elizabeth I. Yankwich, as trustees of the Yankwich Family Trust Dated July 15, 2002, and IYA Limited Partnership, situated on the 6700 block of Del Playa Drive in Isla Vista, (APNs 075-193-008, 075-193-009, and 075-193-010), by authorizing the Clerk of the Board to sign the Certificate of Acceptance, Third District.

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

Approval of Administrative Agenda

HEARING TIME: 9:43 AM - 9:46 AM (3 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, to Approve the Administrative Agenda. 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: County Split - Ernest Armenta addressed the Board.

RE: Immigration Issues - George Alvarez addressed the Board.

RE: The Committee for the Ronald L. Ortega Memorial Bridge - Irene Cummings addressed the Board.

RE: Thanked the Board of Supervisors for their continued Support for the Santa Maria Library - Director of the "Friends of the Santa Maria Library", Hinda Beaman addressed the Board.

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

RE: Announced the 15th year Anniversary of the "American with Disability Act" - Second District Supervisor Susan Rose addressed the Board.

Departmental Agenda -- Public Hearings

Department requests continuance of Departmental Item No. 1) to September 13, 2005.

1) COUNTY EXECUTIVE OFFICE and COUNTY COUNSEL [File Reference No. 05-00605](#)

HEARING - Consider recommendations regarding amendments to Chapter 2, Article V of the Santa Barbara County Code relating to the Board of Architectural Review, as follows:

- a) Consider the introduction of an ordinance amending sections of Chapter 2, Article V relating to the creation of regional County Boards of Architectural Review;
- b) Find that this is not an activity subject to CEQA pursuant to CEQA Guidelines sections 15060 (c) (3) and 15378.

HEARING TIME: 10:08 AM - 10:10 AM (2 MIN.)

A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Continued, as follows: September 27, 2005 in Santa Maria (EST. TIME: 90 MIN.) The motion carried unanimously.

2) FIRST 5, CHILDREN AND FAMILIES COMMISSION [File Reference No. 05-00696](#)

HEARING - Consider amendment of term limits applicable to community members on the First 5 Children and Families Commission, as follows: (EST. TIME: 10 MIN.)

- a) Consider adoption of an urgency ordinance, amending Santa Barbara County Code Chapter 41, section 41-5(E), by repealing the term limits for Community Members of the First 5 Commission (4/5 vote);
- b) Adopt a resolution, amending Article 6, section (E)5 of the Bylaws of the First 5 Commission, by deleting the term limits for Community Members of the First 5 Commission;
- c) Direct staff of the First 5 Commission to report back to the Board by April 30, 2006 with a long-term recommendation regarding term limits for Community Members.

HEARING TIME: 10:10 AM - 10:25 AM (15 MIN.)

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

Received and filed staff report and conducted public hearing.

a) and b) No action taken.

c) Directed the Commission to return to the Board by the end of the year with ordinance amendments for staggered terms for the Community Members and to request that application for the first two staggered terms be solicited and brought back at the same time. The two replacement Commissioners will be recommended by drawing and the Commission will identify two of the Community Members that would be replaced first as part of the proposed staggered ordinance amendment.

The motion carried unanimously.

3) COUNTY EXECUTIVE OFFICE

[File Reference No. 05-00701](#)

HEARING - Consider initiation of revisions to the Oak Tree Ordinances (a) to make any Oak Tree subject to the Ordinances, except for mitigation trees, that began growing after January 1, 2005, exempt from the Ordinances, and (b) to otherwise transfer the existing Grading Ordinance Guidelines for Native Oak Tree Removal from Appendix A of the Grading Ordinance to Article IX Chapter 35 of the County Code, as follows: (EST. TIME: 2 HRS.)

a) Initiate text amendments to Chapter 14 of the County Code;

b) Initiate text amendments to Article IX of Chapter 35;

c) Initiate environmental review of above ordinance amendments pursuant to the State Guidelines for Implementation of the California Environmental Quality Act.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:35 AM - 12:05 PM (1 HR. 30 MIN.)

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

Received and filed staff report and conducted public hearing.

a) through c) Initiated.

The motion carried by the following vote:

Ayes: 3 - Supervisor Firestone, Supervisor Gray and Supervisor Centeno

Noes: 2 - Supervisor Carbajal and Supervisor Rose

2:00 P.M. Planning Items and Public Hearings4) PLANNING AND DEVELOPMENT[File Reference No. 05-00707](#)

HEARING - Consider the Planning Commission's June 22, 2005 recommendation of approval of the proposed Winery (Warehouse) at Los Alamos project, located south of Hwy 101, west of Cat Canyon Road, north of Bell Street (APN 101-100-023), northwest of the township of Los Alamos, Third District, as follows: (EST. TIME: 30 MIN.)

- a) Adopt the required findings for the project, including CEQA findings (Planning Commission Action Letter, Attachment A);
- b) Accept the Negative Declaration and adopt the mitigation monitoring program (Planning Commission Staff Report, Attachment B);
- c) Adopt a resolution approving Comprehensive Plan Amendment 03GPA-00000-00004, adding the Agricultural Industry Overlay to the project parcel (Planning Commission Staff Report, Attachment D);
- d) Adopt an ordinance approving Rezone 03RZN-00000-00004 rezoning the subject parcel from 100-AG to AG-II-40 (Planning Commission Action Letter, Attachment E);
- e) Grant the requested modifications to setbacks and parking standards required by Article III as outlined in the project description (Planning Commission Action Letter, Attachment A, Condition #1);
- f) Approve the Development Plan and Conditional Use Permit subject to the Conditions of Approval (Planning Commission Action Letter, Attachment C).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 2:04 PM - 2:09 PM (5 MIN.)

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

Received and filed staff report.

a) Adopted.

b) Accepted.

c) Adopted.

RESOLUTION NO. 05-220

d) Adopted.

ORDINANCE NO. 4572

e) and f) Approved.

The motion carried unanimously.

5) PLANNING AND DEVELOPMENT[File Reference No. 05-00706](#)

HEARING - Consider the Planning Commission's April 13, 2005 recommendation of approval of the proposed Addamo Winery/Diamante Estates project, located on Clark Avenue, east of Hwy 101, south of Lake Marie Estates (APN 129-151-042), in the township of Orcutt, Fourth District, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Consider whether the applicant has provided sufficient evidence to comply with Development Standard WAT-O-2.2.
- b) If the Board finds the applicant complies with recommendation a) above, consider the following:
 - i. Adopt the required findings for the project (Planning Commission Action Letter, Attachment A), including CEQA findings;
 - ii. Accept the Negative Declaration and the mitigation monitoring program (Planning Commission Staff Report, Attachment B);
 - iii. Adopt the resolution approving Comprehensive Plan Amendment 02GPA-00000-00012, changing the Land Use Designation for a portion of the subject parcel (proposed Lots 6-7) from Rural Ranchette-10 to Agriculture A-I-20 (Planning Commission Staff Report Attachment E);
 - iv. Adopt the ordinance approving Rezone 02RZN-00000-00007 rezoning a portion of the subject parcel (proposed Lots 6-7) from RR-10 to AG-I-20 (Planning Commission Staff Report, Attachment F);
 - v. Approve the project subject to the Conditions of Approval as revised at the April 13, 2005 Planning Commission hearing (Planning Commission Action Letter Attachments C & D).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 2:09 PM - 2:14 PM (5 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: September 6, 2005. The motion carried unanimously.

Adjourn to August 2, 2005

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

Adjourn
Adjourned at 2:14 PM

Announcements

THE MEETING OF JULY 26, 2005 WILL BE TELECAST LIVE ON GOVERNMENT ACCESS TV CHANNEL, 20 AT 9:00 A.M., AND WILL BE REBROADCAST ON THE FOLLOWING THURSDAY, JULY 28, 2005 AT 5:00 P.M. ON GATV CHANNEL 20.

<http://www.countyofsb.org>