

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Salud Carbajal
Second District - Janet Wolf, Vice Chair
Third District - Doreen Farr
Fourth District - Joni Gray
Fifth District - Joseph Centeno, Chair

Michael F. Brown, County Executive Officer

Action Summary

Tuesday, October 20, 2009

9:00 AM

**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.

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**

CONVENED AT 9:18 A.M.

Roll Call

Present: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray,
and Supervisor Centeno

Pledge of Allegiance**Report from Closed Session**

No Reportable Action

Approval of Minutes of the October 13, 2009 Meeting

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, to
Approve the Minutes. The motion carried by the following vote:**

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor
Gray, and Supervisor Centeno

Administrative Agenda

All matters listed hereunder constitute a consent agenda, and will be acted upon by a single roll call vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board or the public, in which event the matter shall be removed from the administrative agenda and considered as a separate item.

Honorary Resolutions**A-1) SUPERVISOR CARBAJAL**[09-00888](#)

Adopt a Resolution of Commendation recognizing Santa Barbara Superior Court Commissioner Deborah M. Talmage as a 2009 Zona Seca, Inc. Partners Making a Difference honoree.

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

RESOLUTION NO. 09-312

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-2) SUPERVISOR CARBAJAL[09-00889](#)

Adopt a Resolution of Commendation recognizing Santa Barbara Superior Court Commissioner Edward DeCaro as a 2009 Zona Seca, Inc. Partners Making a Difference honoree.

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

RESOLUTION NO. 09-313

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-3) SUPERVISOR CARBAJAL[09-00890](#)

Adopt a Resolution of Commendation honoring Anne Smith Towbes as a recipient of the Anti-Defamation League's 2009 Distinguished Community Service Award in Santa Barbara County.

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

RESOLUTION NO. 09-314

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-4) SUPERVISOR CARBAJAL[09-00893](#)

Adopt a Resolution of Commendation honoring the Housing Authority of the City of Santa Barbara upon its 40th anniversary of service to the community in Santa Barbara County.

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

RESOLUTION NO. 09-315

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-5) SUPERVISOR WOLF[09-00891](#)

Adopt a Resolution of Commendation honoring Joni Meisel as a recipient of the Anti-Defamation League's 2009 Distinguished Community Service Award in Santa Barbara County.

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

RESOLUTION NO. 09-316

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-6) SUPERVISOR FARR[09-00892](#)

Adopt a Resolution of Commendation honoring Sherianne Cotterell as the recipient of the Anti-Defamation League's 2009 Education Award in Santa Barbara County.

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

RESOLUTION NO. 09-317

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Administrative Items**A-7) COUNTY EXECUTIVE OFFICE****09-00906**

Approve Budget Revision Requests (SEE EXHIBIT A WITH POSTED AGENDA). (4/5 Vote Required).

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-8) GENERAL SERVICES**09-00899**

Consider recommendations regarding a Real Property Purchase Contract and Deed for the Tepusquet Road Mile Post 5.9, Folio No. 003602, Fifth District, as follows:

a) Approve and authorize the Chair to execute the Real Property Purchase Contract And Escrow Instructions (Permanent Easement) with Thomas A. Rees, as Trustee of the Rees Family Trust Dated May 15, 1992, for a permanent roadway and slope easement over a portion of 3201 Tepusquet Road, Santa Maria, APN 131-210-019, in the amount of \$2,350.00;

b) Accept the Permanent Easement Deed to the real property conveyed from Thomas A. Rees, as Trustee of the Rees Family Trust Dated May 15, 1992 to the County of Santa Barbara for a portion of land located on the property known as 3201 Tepusquet Road, APN 131-210-019; and

c) Authorize the Clerk of the Board to execute the Certificate of Acceptance.

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

a) Approved; Chair to execute.

b) Accepted.

c) Authorized.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-9) PLANNING AND DEVELOPMENT[09-00894](#)

Approve and authorize the Chair to execute a Professional Services Contract with Marine Research Specialists (MRS) (not a local vendor) to prepare the Environmental Impact Report (EIR) for the Venoco Line 96 Modification Project in a not-to-exceed amount of \$324,206.00, which includes a 15% contingency, for the period of October 21, 2009 through August 31, 2010, Third District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-10) PLANNING AND DEVELOPMENT[09-00900](#)

Adopt a Resolution recognizing and approving repair and maintenance activities to the Santa Cruz Island Airstrip by The Nature Conservancy, Second District.

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

RESOLUTION NO. 09-318

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-11) PUBLIC WORKS[09-00897](#)

Consider recommendations regarding the construction of Storm Damage Repair on Jalama Road at Mile Post 4.4 South of Highway 1, County Project No. 862258, Federal Project No. ER-4200(006), Third District, as follows:

- a) Approve the Project and Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines;
- b) Authorize the Director of Public Works to proceed with right-of-way negotiations; and
- c) Authorize the Director of Public Works to advertise for construction bids.

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

a) Approved.

b) and c) Authorized.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-12) PUBLIC WORKS[09-00898](#)

Consider recommendations regarding the acceptance of Bicycle Transportation Account Grant Funding, Second and Third Districts, as follows: (4/5 Vote Required)

- a) Approve the acceptance of \$118,550 in grant funding from the Caltrans Bicycle Transportation Account (BTA) for the Maria Ygnacio Bikepath Paving Project;
- b) Approve the acceptance of \$165,510 in grant funding from the Caltrans BTA for the Maria Ygnacio Bikepath Solar Lighting Project;
- c) Approve the acceptance of \$135,000 in grant funding from the Caltrans BTA for University of California at Santa Barbara's (UCSB) Coastal Route Bikeway Link Project; and
- d) Approve Budget Revision Request No. 2008071 to accept the awards of grant funding from the Caltrans BTA.

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

a) through d) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-13) SOCIAL SERVICES[09-00896](#)

Approve the appointment of Diane Hollems to the Santa Barbara County Workforce Investment Board for a term ending September 31, 2012.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Board of Supervisors**A-14) SUPERVISOR FARR**[09-00903](#)

Approve the reappointment of Robert Coe to the Assessment Appeals Board No. 2, term ending September 1, 2012, Third District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-15) SUPERVISOR CENTENO[09-00905](#)

Approve the appointment of Gina G. Gluyas to the Santa Barbara County Assessment Appeals Board No. 2, term ending September 1, 2012, Fifth District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-16) SUPERVISOR FARR[09-00909](#)

Consider recommendations regarding the formation of the Gaviota Coast Planning Advisory Committee (GavPAC), Third District, as follows:

a) Adopt a Resolution approving the formation of the Gaviota Coast Planning Advisory Committee (GavPAC);

b) Appoint the following eleven (11) members, as nominated by the Third District Supervisor, to serve on the GavPAC:

- i) Jose Baer
- ii) Beverly Boise-Cossart
- iii) Terri Bowman
- iv) Michael Feeney
- v) Charles D. Kimbell, Chair
- vi) Mark Lloyd
- vii) Christina McGinnis
- viii) Philip McKenna
- ix) Jenifer McNabb
- x) Guner Tautrim
- xi) Paul VanLeer; and

c) Apply the provisions included in the Resolution of the Board of Supervisors and the Guidelines for General Plan Advisory Committees, as may be amended, including compliance with the Ralph M. Brown Act governing open meetings for local government bodies, to the administration of the GavPAC for the duration of the appointment.

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

a) Adopted as amended. Added the words "Receive and process applications, but..." to the beginning of the first sentence in Section 13 (a) of the Resolution.

RESOLUTION NO. 09-319

b) Appointed.

c) Approved.

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Centeno

Noes: 1 - Supervisor Gray

Hearing Requests

A-17) PLANNING AND DEVELOPMENT

[09-00902](#)

Set hearing to consider recommendations regarding Case No. 09APL-00000-00025, the Sipple appeal of the Montecito Planning Commission's July 28, 2009 denial of Case Nos. 09APL-00000-00013 and 09APL-00000-00014, located at 660 Stonehouse Lane, APN 155-060-028, Montecito Area, First District, as follows:

(Set hearing for 11/3/09. Time estimate 1 hour.)

a) Deny the appeal, Case No. 09APL-00000-00025 thereby upholding the Montecito Planning Commission's (MPC) denial of the Sipple appeals, case numbers 09APL-00000-00013 and 09APL-00000-00014, as shown in the July 28, 2009 MPC Action Letter;

b) Accept the CEQA Notice of Exemption;

c) Grant de novo approval of Case No. 06BAR-00000-00182, upholding the Montecito Board of Architectural Review's (MBAR) decision of approval; and

d) Grant de novo approval of Case No. 09LUP-00000-00166, as revised by the Montecito Planning Commission and subject to the conditions of approval in the originally-approved Land Use Permit.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: November 3, 2009 in Santa Barbara (EST. TIME: 60 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-18) PUBLIC HEALTH**09-00901**

Set hearing to consider recommendations regarding the Spay-Neuter Task Force Report and Recommendations, as follows:

(Set hearing for 11/3/09. Time estimate 3 hours.)

- a) Consider recommendations from the Spay-Neuter Task Force and consider the introduction (first reading) of Ordinance amendments to the County Code Chapter 7 and the Animal Services Fee Schedule effective January 1, 2010;
- b) Set hearing for December 1, 2009 to consider the adoption (second reading) of Ordinance amendments to the County Code Chapter 7 and the Animal Services Fee Schedule;
- c) Approve a Notice of Exemption pursuant to California Environmental Quality Act of 1970 (CEQA) Guidelines;
- d) Commend the Task Force members on their work and the completion of their duties; and
- e) Direct staff to return to the Board of Supervisors in 24-36 months with data to report on the effectiveness of any Ordinance approved by the Board, as well as performance measures on licensing levels resulting from the Responsible Pet Ownership Program.

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: November 3, 2009 in Santa Barbara (EST. TIME: 3 HRS.) and set continued hearing as follows: November 10, 2009 in Santa Maria (EST. TIME: 3 HRS.). The Board will allow individuals to testify only once, in person or by remote testimony, at either the hearing in Santa Barbara or the hearing in Santa Maria. The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Noes: 1 - Supervisor Wolf

Approval of Administrative Agenda

HEARING TIME: 9:20 A.M. - 9:57 A.M. (37 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, to Approve the Administrative Agenda. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Public Comment Period

HEARING TIME: 9:58 A.M. - 10:05 (7 MIN.)

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) (09-00001)

WHEN TESTIFYING BEFORE THE BOARD OF SUPERVISORS, PERSONAL ATTACKS AND OTHER DISRUPTIVE BEHAVIOR IS NOT APPROPRIATE.

RE: County Animal Control Issues - David Diaz Addressed the Board.

RE: RE: Santa Barbara County District Attorney Election - Dr. Robert L. Johns Addressed the Board.

RE: Report on Influenza A (H1V1) vaccinations and planned dispensary outline - Interim Director of Community Health, Santa Barbara County Public Health Department, Michele Mickiewicz Addressed the Board.

RE: Toro Canyon Road property - John Thorndike, IV Addressed the Board.

RE: Thanks to the Chief Executive Office and General Services regarding recent remodel to Board of Supervisors Hearing Room - Second District Supervisor Janet Wolf Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE

[09-00887](#)

HEARING - Consider recommendations regarding the 2010 Appointment of the County Representative(s) to the California State Association of Counties (CSAC) and to the National Association of Counties (NACO), as follows: (EST. TIME: 10 MIN.)

a) Appoint one member of the Board of Supervisors as the 2010 Santa Barbara County representative on the California State Association of Counties (CSAC) Board of Directors and one member as the alternate representative; and

b) Appoint one member of the Board of Supervisors as the 2010 Santa Barbara County representative to the National Association of Counties (NACO).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:15 A.M. - 10:17 A.M. (2 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Appointed the 2010 County Representative(s) to the California State Association of Counties as follows: Fourth District Supervisor Joni Gray as the representative to the CSAC Board of Directors and Second District Supervisor Janet Wolf as the alternate representative.

b) Appointed the 2010 Santa Barbara County Representative to the National Association of Counties as follows: First District Supervisor Salud Carbajal.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

2) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

09-00827

HEARING - Receive and file a presentation regarding the Fiscal Year 2008-2009 Santa Barbara County Commission for Women Annual Report. (EST. TIME 20 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:18 A.M. - 10:43 A.M. (25 MIN.)

A motion was made by Supervisor Wolf, seconded by Supervisor Farr, that this matter be Received and filed. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

3) COUNTY EXECUTIVE OFFICE

[09-00859](#)

HEARING - Receive and file a status report on Assembly Bill 1536 Distributed Energy Resources Incentive Program and provide direction to staff. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:44 A.M. - 10:55 A.M. (11 MIN.)

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

Received and filed staff presentation and conducted public hearing.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

4) PLANNING AND DEVELOPMENT

[09-00907](#)

HEARING - Receive and file a briefing in the matter of the Santa Barbara County Telecommunications Program and current permit processing. (EST. TIME 1 HR.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:57 A.M. - 12:57 (2 HRS.)

Received and filed staff presentation and conducted public hearing.

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

Directed staff to explore amendments/enhancements to the current County Ordinance including but not limited to the following: Potential for more transparency/public input in the process, enhanced protection to communities from potential negative health effects, potential moratorium on permitting facilities, role of CEQA in the regulatory/permitting process, relocation of existing sites, issues related to third party/peer review, conflict of interest/revolving door policies and laws, franchise/sublease issues, cumulative impacts of such facilities, and potential evaluation of high use and/or high risk sites such as schools and health facilities and to return to the board with recommendations as appropriate.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

5) PLANNING AND DEVELOPMENT

[09-00358](#)

HEARING - Consider recommendations regarding the Santa Barbara Ranch Development, as follows: (EST. TIME: 10 MIN.)

a) Consider the adoption (second reading) of an Ordinance rescinding the Board of Supervisors' previous approval of Development Agreements for Santa Barbara Ranch, and vacating its previous authorization for the owners of Dos Pueblos Ranch to seek their own Development Agreement.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Received and filed staff presentation and conducted public hearing.

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

a) Directed staff to submit one Notice of Final Action for the project and request the Coastal Commission engage in dispute resolution with regard to appealability of merger; and to work on a response to the Coastal Commission's incompleteness letter dated January 4, 2009 as reflected in Attachment B of the Planning and Development board agenda letter dated October 20, 2009.

b) Accepted.

c) i, ii Adopted.

d) Read title, waived reading of Ordinance in it's entirety. Introduction approved; adoption (second reading) set for October 27, 2009.

e) Set for October 27, 2009 in Santa Maria (EST. TIME: 10 MIN.)

Further directed staff to write a letter to the California State Department of Conservation advising them of the Board's actions.

The motion carried by the following vote:

Ayes: 3 - Supervisor Carbajal, Supervisor Wolf, and Supervisor Farr

Noes: 2 - Supervisor Gray, and Supervisor Centeno

Adjourn to**October 27, 2009****Betteravia Government Center****Board Hearing Room****511 East Lakeside Parkway****Santa Maria****Challenges**

IF YOU CHALLENGE A DETERMINATION MADE ON A MATTER ON THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE BOARD OF SUPERVISORS AT, OR PRIOR TO, THE PUBLIC HEARING.

Announcements

The meeting of Tuesday, October 20, 2009 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, October 22, 2009, at 5:00 PM and on Saturday, October 24, 2009, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>