

County of Santa Barbara
BOARD OF SUPERVISORS



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

Michael F. Brown, County Executive Officer

Action Summary

Tuesday, March 16, 2010

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.

Board Meeting Procedures

Closed Session

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

9:00 A.M. Reconvened to Regular Session

CONVENED: 9:15 A.M.

Roll Call

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

Pledge of Allegiance

Report from Closed Session

COUNTY COUNSEL

[10-00009](#)

Closed Session Agenda

No reportable action taken.

Approval of Minutes of the previous Meeting

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, 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****[10-00259](#)**

Adopt a Resolution of Commendation honoring Casa Serena upon receiving the First District 2010 Commission for Women Annual Service Award.

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

RESOLUTION NO. 10-060

The motion carried by the following vote:

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

A-2) SUPERVISOR WOLF**[10-00246](#)**

Adopt a Resolution of Commendation honoring Santa Barbara City College's Single Parent Arriving Ready for College program upon receiving the Second District 2010 Commission for Women Annual Service Award.

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

RESOLUTION NO. 10-061

The motion carried by the following vote:

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

A-3) SUPERVISOR FARR**[10-00244](#)**

Adopt a Resolution of Commendation honoring People Helping People's Family Strengthening Program upon receiving the Third District 2010 Commission for Women Annual Service Award.

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

RESOLUTION NO. 10-062

The motion carried by the following vote:

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

A-4) SUPERVISOR GRAY**[10-00258](#)**

Adopt a Resolution of Commendation honoring the Women's Fund of Northern Santa Barbara County upon receiving the Fourth District 2010 Commission for Women Annual Service Award.

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

RESOLUTION NO. 10-063

The motion carried by the following vote:

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

A-5) SUPERVISOR CENTENO**[10-00260](#)**

Adopt a Resolution of Commendation honoring the Marian Medical Breast Care Center upon receiving the Fifth District 2010 Commission for Women Annual Service Award.

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

RESOLUTION NO. 10-064

The motion carried by the following vote:

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

Administrative Items**A-6) COUNTY COUNSEL****[10-00247](#)**

Approve the Conflicts of Interest Code of the Santa Barbara County Employees' Retirement System.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr,
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-7) COUNTY COUNSEL**10-00248**

Adopt a Resolution in support of the Land Trust's application for state and federal funding for the purpose of acquiring a California Farmland Conservation Easement on the Hibbits property, APNs 099-150-003, 099-150-029, 099-150-030, and 099-150-005, Fourth District.

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

RESOLUTION NO. 10-065

The motion carried by the following vote:

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

A-8) COUNTY EXECUTIVE OFFICE**10-00263**

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

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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-9) GENERAL SERVICES**10-00253**

Consider recommendations regarding Permission to Bid for the Lompoc Veterans Memorial Building Roof Replacement Project, located at 100 E. Locust Ave. in Lompoc, CA, County Project No. 8584, estimated cost of the project is \$255,000.00 and it is being funded by a grant from the Wood-Claeysens Foundation, Fourth District, as follows:

- a) Adopt the Final Mitigated Negative Declaration CEQA and NEPA documents dated August 24, 2010 on file in the General Services Department;
- b) Approve the plans and specifications on file in the General Services Department and prepared by CSA Architects (a local vendor) for the Lompoc Veterans Memorial Building Roof Replacement project; and
- c) Authorize the General Services Department to advertise the Lompoc Veterans Memorial Building Roof Replacement project for public bidding.

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

a) Adopted;

b) Approved; and

c) Authorized.

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

[10-00159](#)

Consider the adoption (second reading) of an Ordinance amending the Building and Safety Fee Schedule to include a penalty fee provision on building permits submitted in response to a building violation, to be effective 60 days from adoption.

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

ORDINANCE NO. 4745

The motion carried by the following vote:

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

A-11) PLANNING AND DEVELOPMENT

[10-00249](#)

Approve and authorize the Chair to execute an Agreement to provide planning services between the County of Santa Barbara and the City of Carpinteria for a period ending on February 16, 2015, on a time and materials basis, First District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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-12) PUBLIC HEALTH

10-00245

Adopt a Resolution authorizing the Santa Barbara County Emergency Medical Services Agency to conduct State and Federal Bureau of Investigation criminal background checks on prospective Emergency Medical Technician certification applicants.

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

RESOLUTION NO. 10-066

The motion carried by the following vote:

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

A-13) PUBLIC WORKS

10-00256

Consider recommendations regarding the Stubblefield Extension easement and authorization to construct, County Project No. 720767, Fourth District, as follows: (4/5 Vote Required)

- a) Accept an Exclusive Easement Deed for road improvements on County APNs 101-400-001 and 101-400-002 from Rice Ranch Ventures, L.L.C. by authorizing the Clerk of the Board to execute the Certificate of Acceptance;
- b) Authorize the Director of Public Works to enter into a reimbursement agreement for an amount not to exceed \$325,000.00 with Martin-Ferrell Homes (a local vendor) for the construction of the Stubblefield Road extension; and
- c) Approve Budget Revision No.0000801.

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

- a) Accepted;
b) Authorized; and
c) Approved.

The motion carried by the following vote:

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

A-14) PUBLIC WORKS[10-00257](#)

Consider recommendations regarding parking restrictions on Antone Road, Second District, as follows:

- a) Adopt a Resolution for the establishment of a No Parking Zone on Antone Road; and
- b) Approve a Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the establishment of a No Parking Zone on Antone Road.

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

a) Adopted.

RESOLUTION NO. 10-067

b) Approved.

The motion carried by the following vote:

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

A-15) TREASURER-TAX COLLECTOR[10-00254](#)

Receive and file the DNA Identification Fund Report for the 2009 calendar year.

A motion was made by Supervisor Carbajal, 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

Board of Supervisors**A-16) SUPERVISOR WOLF**[10-00261](#)

Approve the appointment of Takashi Michael Wada, MD to the CenCal Health Board of Directors, term ending December 31, 2012, Second District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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

Hearing Requests

A-17) PLANNING AND DEVELOPMENT

[10-00250](#)

Set hearing to consider recommendations regarding options for allocating Coastal Resource Enhancement Fund (CREF) Grants in the 2010 Cycle, as follows:

(Set hearing for 3/23/10. Time estimate 45 minutes.)

a) Choose one of the following two options provided, as to the types (internal or internal/external) of General Allocation projects the Board would like to fund with fees collected in the 2010 cycle:

i) Conduct a solicitation from County agencies only; or

ii) Conduct a full solicitation from all eligible applicants, internal and external; and

b) Choose among the following options provided, regarding the minimum percentage of annual fees that is deferred for coastal acquisitions in 2010:

i) Defer 50% of the 2010 CREF fees to Acquisitions for a total of \$383,698.88 in General Allocations and \$689,576.87 in Acquisitions;

ii) Defer 65% of the 2010 CREF fees to Acquisitions for a total of \$290,248.88 in General Allocations and \$783,026.87 in Acquisitions;

iii) Defer 0% of the 2010 CREF Fees to Acquisitions for a total of \$695,198.88 in General Allocations and \$378,076.87 in Acquisitions; or

iv) Defer 100% of the 2010 CREF Fees to Acquisitions for a total of \$72,198.88 in General Allocations and \$1,001,076.87 in Acquisitions; and

c) Continue this hearing to April 6, 2010 to approve revisions to Section 3.6, entitled "Fund Deferral Program" of the CREF Guidelines, if necessary.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: April 6, 2010 in Santa Barbara (EST. TIME: 45 MIN.). The motion carried by the following vote:

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

A-18) PLANNING AND DEVELOPMENT**[10-00252](#)**

Set hearing to consider recommendations regarding information and a discussion on Coastal Commission suggested modifications to County and Montecito Land Use and Development Codes, as follows:
(Set hearing for 4/6/10. Time estimate 45 minutes.)

- a) Receive and file a report from the Planning and Development Department regarding modifications to the County and Montecito Land Use and Development Codes as recommended by Coastal Commission Staff; and
- b) Provide comments for the Planning and Development Department to transmit to the Coastal Commission at their April, 2010 hearing.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: April 6, 2010 in Santa Barbara (EST. TIME: 45 MIN.). The motion carried by the following vote:

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

A-19) PLANNING AND DEVELOPMENT**[10-00262](#)**

Set hearing to consider recommendations regarding options for allocating additional, unanticipated Federal Coastal Impact Assistance Program (CIAP) revenue, as follows:
(Set hearing for 3/23/10. Time estimate 45 minutes.)

- a) Approve the allocation of additional, unanticipated CIAP funds in the amount of \$555,081.80, choosing projects from established lists, or revising these lists to add one or more projects, and direct staff to return with a Resolution on the April 6, 2010 Administrative Agenda to memorialize the allocation;
- b) Adopt a Resolution approving a minor revision to the Agricultural Commissioner's Santa Ynez River Restoration grant; and
- c) Direct staff to return to the Board of Supervisors to adopt a major or minor amendment to the current Coastal Impact Assistance Plan concurrent with the Board's decision of Goleta Beach.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: April 6, 2010 in Santa Barbara (EST. TIME: 45 MIN.). The motion carried by the following vote:

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

A-20) PUBLIC WORKS**10-00255**

Set hearing to consider recommendations regarding the County of Santa Barbara's Exclusive Franchise Agreements for Solid Waste Collection, Second, Third, Fourth and Fifth Districts, as follows:
(Set hearing for 4/6/10. Time estimate 1 hour.)

a) Approve the following Subcommittee recommendations:

i) Approve franchise agreement term limits of 8 years with an expiration date of June 30, 2019 for franchises now under consideration in Zones 2, 4 and 5;

ii) Approve requiring a minimum of 2 service providers in the County unincorporated area, which will require a future amendment to County Code Chapter 17;

iii) Approve reconfiguring the service areas, Zones 4 and 5, in the North County;

iv) Approve maintaining the current Zone 2 boundaries on the South Coast and cooperating with the City of Goleta in the procurement process to the extent possible; and

v) Approve competitive procurement paths for both the northern and southern service areas that limit competition to the 3 existing service providers, Allied Industries, MarBorg Industries, and Waste Management; and

b) Direct the Solid Waste Franchise Project Team to incorporate these recommendations into the procurement process and return to the Board in the summer of 2010 with Request For Proposals for solid waste collection.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: April 6, 2010 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-21) PUBLIC WORKS**[10-00251](#)**

Set hearing to consider recommendations regarding the appeal of denial of issuing a Certificate of Compliance by the County Surveyor on APN 133-070-035, 09CC100, Foxen Oaks, Fifth District, as follows:
(Set hearing for 3/23/10. Time estimate 30 minutes.)

a) Uphold the decision by the County Surveyor and deny issuing a Certificate of Compliance on APN 133-070-035; or

b) Direct the County Surveyor to issue a Certificate of Compliance on APN 133-070-035.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: March 23, 2010 in Santa Maria (EST. TIME: 30 MIN.). The motion carried by the following vote:

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

A-22) SUPERVISOR CENTENO**[10-00193](#)**

Set hearing to consider the establishment of a limited term (six months) Advisory Commission on Retirement Benefit Alternatives.
(Set hearing for 3/23/10. Time estimate 30 minutes.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: March 23, 2010 in Santa Maria (EST. TIME: 30 MIN.). The motion carried by the following vote:

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

Approval of Administrative Agenda

HEARING TIME: 9:18 A.M. - 9:32 A.M. (14 MIN.)

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

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

Board Member Reports

HEARING TIME: 9:33 A.M. - 9:42 A.M. (8 MIN.)

RE: Attended Deputy Sheriff's Association Annual Recognition dinner, special award to the Coroner's Unit / - Third District Supervisor Doreen Farr Addressed the Board.

RE: Recognized Jeff Stone, retiring North County Deputy Director, Parks Department / Attended Prison Facilities Advisory Committee for the State of California Department of Corrections - Fourth District Supervisor Joni Gray Addressed the Board.

RE: Reported on trip to Washington, D.C. as Santa Barbara County's representative to NACO and SBCAG to advocate County's needs with both state and federal representatives (including, but not limited to, transportation, public health and agriculture) as well as their cooperation in drafting a letter to the US Forest Service regarding County road maintenance due to the La Brea Fire - First District Supervisor Salud Carbajal Addressed the Board.

RE: Census 2010 / Welcome Dr. Takashi Wada, new Public Health Director / many thanks to Deputy Director Michele Mickiewicz and Medical Director Peter Hasler / D.A.R.E. County program / BEACON / Goleta Beach continued public hearings / praise for draft primer for grade school age children to better understand the workings of local government (being prepared by Terry Nisich, Assistant CEO) - Second District Supervisor Janet Wolf Addressed the Board.

Public Comment Period

HEARING TIME: 9:42 A.M. - 9:52 A.M. (10 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. 09-368) (10-00001)

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

**RE: Future proposed draft County CSA agreement - Karin Perissinotto
Addressed the Board.**

**RE: Santa Barbara Film Commission - Geoff Alexander Addressed the
Board.**

**RE: County education system / legal issues against the County - Kate Smith
Addressed the Board.**

**RE: Upcoming District Attorney election - Dr. Robert L. Johns, Ph.D.
Addressed the Board.**

RE: County budget issues - Andy Caldwell Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) **COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES** [10-00217](#)

HEARING - Receive a Women's History Month Service Awards Presentation from the County of Santa Barbara Commission for Women for the following five organizations: (EST. TIME: 20 MIN.)

- a) First District - Casa Serena;
- b) Second District - Single Parents Arriving Ready for College (SPARC) Program, Santa Barbara City College;
- c) Third District - Family Strengthening Program, People Helping People of Santa Ynez Valley;
- d) Fourth District - Women's Fund of Northern Santa Barbara County; and
- e) Fifth District - Marion Medical Breast Cancer Care Center.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 9:53 A.M. - 10:20 A.M. (28 MIN.)

Presented Womens History Month Service Awards.

2) COUNTY EXECUTIVE OFFICE[10-00123](#)

HEARING - Consider recommendations regarding the Fiscal Year 2010-2011 Budget Development Workshop: Potential Service Level Impacts, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Receive and file the Fiscal Year 2010-2011 Potential Service Level Impacts Report; and
- b) Direct staff to proceed with the Fiscal Year 2010-2011 budget development process in accordance with the Board of Supervisor's adopted budget principles and other policy priorities.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:40 A.M. - 1:05 P.M. (2 HRS., 25 MIN.)

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

Directed the County Executive Officer to explore options providing for significant cost reductions in the Information Technology Services Department including an analysis of moving ITS into the General Services Department and to return to the Board with a report and recommendations prior to FY 2010-2011 Budget Hearings.

The motion carried by the following vote:

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

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

Directed the County Executive Officer to explore options providing for cost reductions through restructuring of the Housing and Community Development Department and to return to the Board with a report and recommendations prior to FY 2010-2011 Budget Hearings.

The motion carried by the following vote:

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

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

Directed the County Executive Officer to prepare a balanced budget for the Board to consider at FY 2010-2011 Budget Hearings based upon consensus direction provided by the Board during the Budget Development Workshop.

The motion carried by the following vote:

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

3) HOUSING AND COMMUNITY DEVELOPMENT[09-00969](#)

HEARING - Consider recommendations regarding the Municipal Energy Financing Program Resolution of Intention, as follows: (EST. TIME: 30 MIN.)

- a) Determine that the proposed Contractual Assessment Program (program) is not a 'project', pursuant to Section 15378(b)(4) of the California Environmental Quality Act (CEQA) Guidelines;
- b) Adopt a Resolution Declaring Intention to Finance Installation of Distributed Generation Renewable Energy Sources, and Energy Efficiency and Water Efficiency Improvements (Resolution of Intention); and
- c) Set a hearing on April 13, 2010 to consider the adoption of the proposed program, including all associated documentation.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 2:15 A.M. - 3:05 P.M. (50 MIN.)

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 and set for a hearing, as follows:

- a) Approved;**
- b) Adopted. Directed staff to replace "Housing and Community Development Director" with "County Executive Officer or Designee" in the text of the Resolution.**

RESOLUTION NO. 10-068

- c) Set hearing for April 13, 2010 in Santa Maria (EST. TIME: 30 MIN.)**

The motion carried by the following vote:

Ayes:	4 -	Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Centeno
Noes:	1 -	Supervisor Gray

4) PLANNING AND DEVELOPMENT[10-00206](#)

HEARING - Consider recommendations regarding the NextG appeal of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB02 permit, Case No. 09CDP-00000-0052, located in the public right of way of Middle Road adjacent to APN 009-170-005 in Montecito, First District, as follows: (EST. TIME: 20 MIN.)

- a) Uphold the appeal, Case No. 10APL-00000-00007, thereby overturning the Montecito Planning Commission's denial of Case No. 09CDP-00000-0052;
- b) Make the required findings for approval of Case No. 09CDP-00000-0052, as shown in the Montecito Planning Commission Staff Report dated January 8, 2010;
- c) Accept the California Environmental Quality Act (CEQA) Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, on July 20, 2009, as adequate pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c) and 15304(f) of the CEQA guidelines included in the Montecito Planning Commission Staff Report dated January 8, 2010;
- d) Grant de novo approval of Case No. 09CDP-00000-0052, subject to the conditions of approval, included in the Montecito Planning Commission Staff Report dated January 8, 2010 as amended by the Errata Memorandum dated January 27, 2010; and
- e) Refer back to staff for additional analysis, including gap analysis and identification of alternative sites, if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 3:15 P.M. - 6:30 P.M. (2 HRS, 15 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) through d) No action taken; and**
- e) Directed staff to conduct a "significant gap" analysis, including through use of a 3rd-party consultant, an analysis of alternative sites, if needed and to return to the Board as appropriate with draft findings for denial; and**

Continued the hearing on all seven appeals by Applicant NextG.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

5) PLANNING AND DEVELOPMENT[10-00202](#)

HEARING - Consider recommendations regarding the NextG appeal of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB03 permit, Case No. 09LUP-00000-00381, located in the public right of way of Park Lane adjacent to APN 007-120-013 in Montecito, First District, as follows: (EST. TIME: 20 MIN.)

- a) Uphold the appeal, Case No. 10APL-00000-00008, thereby overturning the Montecito Planning Commission's denial of Case No. 09LUP-00000-00381;
- b) Make the required findings for approval of Case No. 09LUP-00000-00381, as shown in the Montecito Planning Commission Staff Report dated January 8, 2010;
- c) Accept the California Environmental Quality Act (CEQA) Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, on July 20, 2009, as adequate pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c) and 15304(f) of the CEQA guidelines included in the Montecito Planning Commission Staff Report dated January 8, 2010;
- d) Grant de novo approval of Case No. 09LUP-00000-00381, subject to the conditions of approval, included in the Montecito Planning Commission Staff Report dated January 8, 2010 as amended by the Errata Memorandum dated January 27, 2010; and
- e) Refer back to staff for additional analysis, including gap analysis and identification of alternative sites, if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 3:15 P.M. - 6:30 P.M. (2 HRS, 15 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) through d) No action taken; and**
- e) Directed staff to conduct a "significant gap" analysis, including through use of a 3rd-party consultant, an analysis of alternative sites, if needed and to return to the Board as appropriate with draft findings for denial; and**

Continued the hearing on all seven appeals by Applicant NextG.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

6) PLANNING AND DEVELOPMENT[10-00212](#)

HEARING - Consider recommendations regarding the NextG appeal of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB06 permit, Case No. 09CDP-00000-00053, located in the public right of way of Olive Mill Road adjacent to APN 009-230-027 in Montecito, First District, as follows: (EST. TIME: 20 MIN.)

- a) Uphold the appeal, Case No. 10APL-00000-00005, thereby overturning the Montecito Planning Commission's denial of Case No. 09CDP-00000-00053;
- b) Make the required findings for approval of Case No. 09CDP-00000-00053, as shown in the Montecito Planning Commission Staff Report dated January 8, 2010;
- c) Accept the California Environmental Quality Act (CEQA) Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, on July 20, 2009, as adequate pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c) and 15304(f) of the CEQA guidelines included in the Montecito Planning Commission Staff Report dated January 8, 2010;
- d) Grant de novo approval of Case No. 09CDP-00000-00053, subject to the conditions of approval, included in the Montecito Planning Commission Staff Report dated January 8, 2010 as amended by the Errata Memorandum dated January 27, 2010; and
- e) Refer back to staff for additional analysis, including gap analysis and identification of alternative sites, if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 3:15 P.M. - 6:30 P.M. (2 HRS, 15 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) through d) No action taken; and

e) Directed staff to conduct a "significant gap" analysis, including through use of a 3rd-party consultant, an analysis of alternative sites, if needed and to return to the Board as appropriate with draft findings for denial; and

Continued the hearing on all seven appeals by Applicant NextG.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

7) **PLANNING AND DEVELOPMENT**

[10-00207](#)

HEARING - Consider recommendations regarding the NextG appeal of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB08 permit, Case No. 09LUP-00000-00317, located in the public right of way of Olive Mill Road adjacent to APN 009-130-015 in Montecito, First District, as follows: (EST. TIME: 20 MIN.)

- a) Uphold the appeal, Case No. 10APL-00000-00004, thereby overturning the Montecito Planning Commission's denial of Case No. 09LUP-00000-00317;
- b) Make the required findings for approval of Case No. 09LUP-00000-00317, as shown in the Montecito Planning Commission Staff Report dated January 8, 2010;

c) Accept the California Environmental Quality Act (CEQA) Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, on July 20, 2009, as adequate pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c) and 15304(f) of the CEQA guidelines included in the Montecito Planning Commission Staff Report dated January 8, 2010;

d) Grant de novo approval of Case No. 09LUP-00000-00317, subject to the conditions of approval, included in the Montecito Planning Commission Staff Report dated January 8, 2010 as amended by the Errata Memorandum dated January 27, 2010; and

e) Refer back to staff for additional analysis, including gap analysis and identification of alternative sites, if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 3:15 P.M. - 6:30 P.M. (2 HRS, 15 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) through d) No action taken; and

e) Directed staff to conduct a "significant gap" analysis, including through use of a 3rd-party consultant, an analysis of alternative sites, if needed and to return to the Board as appropriate with draft findings for denial; and

Continued the hearing on all seven appeals by Applicant NextG.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

8) PLANNING AND DEVELOPMENT

10-00214

HEARING - Consider recommendations regarding the NextG appeal of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB09 permit, Case No. 09CDP-00000-00055, located in the public right of way of San Ysidro Road adjacent to APN 009-262-003 in Montecito, First District, as follows: (EST. TIME: 20 MIN.)

a) Uphold the appeal, Case No. 10APL-00000-00003, thereby overturning the Montecito Planning Commission's denial of Case No. 09CDP-00000-00055;

b) Make the required findings for approval of Case No. 09CDP-00000-00055, as shown in the Montecito Planning Commission Staff Report dated January 8, 2010;

c) Accept the California Environmental Quality Act (CEQA) Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, on July 20, 2009, as adequate pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c) and 15304(f) of the CEQA guidelines included in the Montecito Planning Commission Staff Report dated January 8, 2010;

d) Grant de novo approval of Case No. 09CDP-00000-00055, subject to the conditions of approval, included in the Montecito Planning Commission Staff Report dated January 8, 2010 as amended by the Errata

Memorandum dated January 27, 2010; and

e) Refer back to staff for additional analysis, including gap analysis and identification of alternative sites, if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 3:15 P.M. - 6:30 P.M. (2 HRS, 15 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) through d) No action taken; and

e) Directed staff to conduct a "significant gap" analysis, including through use of a 3rd-party consultant, an analysis of alternative sites, if needed and to return to the Board as appropriate with draft findings for denial; and

Continued the hearing on all seven appeals by Applicant NextG.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

9) PLANNING AND DEVELOPMENT

[10-00210](#)

HEARING - Consider recommendations regarding the NextG appeal of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB13 permit, Case No. 09CDP-00000-00056, located in the public right of way of N. Jameson Lane adjacent to APN 007-350-010 in Montecito, First District, as follows: (EST. TIME: 20 MIN.)

a) Uphold the appeal, Case No. 10APL-00000-00002, thereby overturning the Montecito Planning Commission's denial of Case No. 09CDP-00000-00056;

b) Make the required findings for approval of Case No. 09CDP-00000-00056, as shown in the Montecito Planning Commission Staff Report dated January 8, 2010;

c) Accept the California Environmental Quality Act (CEQA) Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, on July 20, 2009, as adequate pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c) and 15304(f) of the CEQA guidelines included in the Montecito Planning Commission Staff Report dated January 8, 2010;

d) Grant de novo approval of Case No. 09CDP-00000-00056, subject to the conditions of approval, included in the Montecito Planning Commission Staff Report dated January 8, 2010 as amended by the Errata Memorandum dated January 27, 2010; and

e) Refer back to staff for additional analysis, including gap analysis and identification of alternative sites, if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 3:15 P.M. - 6:30 P.M. (2 HRS, 15 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) through d) No action taken; and

e) Directed staff to conduct a “significant gap” analysis, including through use of a 3rd-party consultant, an analysis of alternative sites, if needed and to return to the Board as appropriate with draft findings for denial; and

Continued the hearing on all seven appeals by Applicant NextG.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

10) PLANNING AND DEVELOPMENT

10-00205

HEARING - Consider recommendations regarding the NextG appeal of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB14 permit, Case No. 09LUP-00000-00319, located in the public right of way of Sheffield Drive adjacent to APN 007-240-012 in Montecito, First District, as follows: (EST. TIME: 20 MIN.)

- a) Uphold the appeal, Case No. 10APL-00000-00006, thereby overturning the Montecito Planning Commission's denial of Case No. 09LUP-00000-00319;
- b) Make the required findings for approval of Case No. 09LUP-00000-00319, as shown in the Montecito Planning Commission Staff Report dated January 8, 2010;
- c) Accept the California Environmental Quality Act (CEQA) Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, on July 20, 2009, as adequate pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c) and 15304(f) of the CEQA guidelines included in the Montecito Planning Commission Staff Report dated January 8, 2010;
- d) Grant de novo approval of Case No. 09LUP-00000-00319, subject to the conditions of approval, included in the Montecito Planning Commission Staff Report dated January 8, 2010 as amended by the Errata Memorandum dated January 27, 2010; and
- e) Refer back to staff for additional analysis, including gap analysis and identification of alternative sites, if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 3:15 P.M. - 6:30 P.M. (2 HRS, 15 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) through d) No action taken; and

e) Directed staff to conduct a “significant gap” analysis, including through use of a 3rd-party consultant, an analysis of alternative sites, if needed and to return to the Board as appropriate with draft findings for denial; and

Continued the hearing on all seven appeals by Applicant NextG.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

11) PLANNING AND DEVELOPMENT**[10-00216](#)**

HEARING - Consider recommendations regarding the Montecito Planning Commission on Case Nos. 10TEX-00000-00005, 10TEX-00000-00008, 10TEX-00000-00009, 10TEX-00000-00010 and 10TEX-00000-00011 regarding a request by the applicant, Caruso Affiliated, for time extensions for the Miramar Beach Resort & Bungalows Project, First District, as follows: (EST. TIME: 1 HR.)

a) Accept the required findings for approval of the project specified in the Montecito Planning Commission staff report dated February 24, 2010, including the California Environmental Quality Act (CEQA) findings;

b) Accept 08EIR-00000-00003 and 00-ND-003, as revised in the Addendum dated September 25, 2008, as adequate Environmental Review for Case Nos. 10TEX-00000-00005, 10TEX-00000-00008, 10TEX-00000-00009, 10TEX-00000-00010 and 10TEX-00000-00011, pursuant to Section 15162 of the State Guidelines for Implementation of the California Environmental Quality Act; and

c) Approve the project, Case Nos. 10TEX-00000-00005, 10TEX-00000-00008, 10TEX-00000-00009, 10TEX-00000-00010 and 10TEX-00000-00011.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 6:40 P.M. - 7:28 P.M. (68 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Accepted the required findings for approval of the project specified in Attachment A of the Montecito Planning Commission staff report dated February 24, 2010 including the (CEQA) findings";

b) Accepted 08EIR-00000-00003 & 00-ND-003, as revised in the Addendum dated September 25, 2008, included as Attachment 3 of the Board agenda letter dated March 2, 2010 as adequate Environmental Review for Case Nos. 10TEX-00000-00005, 10TEX-00000-00008, 10TEX-00000-00009, 10TEX-00000-00010 & 10TEX-00000-00011 pursuant to Section 15162 of the State Guidelines for Implementation of the California Environmental Quality Act.; and

c) Approved the project, Case Nos. 10TEX-00000-00005, 10TEX-00000-00008, 10TEX-00000-00009, 10TEX-00000-00010 & 10TEX-00000-00011".

Approved applicants requested time extensions as follows:

i) The approved Coastal Development Permit for one year to April 6, 2011; and

ii) The approved Conditional Use Permits (4) for 54 months to April 6, 2015.

In addition, applicant agreed to provide daily patrolled security of the subject property.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Centeno

Adjourned at 7:30 PM

**The Board of Supervisors Adjourned the Meeting of March 16, 2010 in Memory of
Adelaide Mostachetti of Santa Barbara.**

Adjourned to

March 23, 2010

Betteravia Government Center

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

Announcements

The meeting of Tuesday, March 16, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, March 18, 2010, at 5:00 PM and on Saturday, March 20, 2010, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>