

County of Santa Barbara
BOARD OF SUPERVISORS



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

Chandra L. Wallar, County Executive Officer

Agenda

Tuesday, December 6, 2011

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

Persons may address the Board of Supervisors in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Betteravia Government Center, Board Hearing Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.

Board Meeting Procedures

The Board of Supervisors is the legislative body for the County of Santa Barbara. Persons are encouraged to attend and testify before the Board on any matter appearing on the agenda. Correspondence to the Board regarding items appearing on the agenda should be directed to the Clerk of the Board, 105 East Anapamu Street, Room 407, Santa Barbara CA 93101. For information regarding the meetings of the Board of Supervisors including specific meeting times contact the Clerk of the Board at (805) 568-2240. Procedures for the conduct of the meetings of the Board of Supervisors can be found in Board Resolutions 09-368 (General) and 91-333 (Land Use).

The schedule of the Board of Supervisors, meeting agendas, supplemental hearing materials and minutes of the Board meetings are available on the Internet at: www.countyofsb.org

Board Meetings are televised live on County of Santa Barbara TV channel 20. For information about obtaining a videotape of a public hearing or a schedule of CSBTV broadcasts please call (805) 568-3427.

Late Distribution

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to all or a majority of the members of the Board of Supervisors less than 72 hours prior to that meeting are available for inspection in the Clerk of the Board Office, 105 East Anapamu Street, Room 407, Santa Barbara, CA, at the Office of the Board of Supervisors, Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, CA and on the Internet at: <http://santabarbara.legistar.com/Calendar.aspx#current>.

Disability Access

The Board of Supervisors Hearing Room in Santa Barbara is located on the Fourth Floor of the County Administration Building, 105 East Anapamu Street. The Hearing Room is wheelchair accessible. Accessible public parking is available behind the County Administration Building and in City Parking Lot #6 located at the corner of Anacapa Street and Anapamu Street.

The Board of Supervisors Hearing Room in Santa Maria is located at the Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria. The Hearing Room is wheelchair accessible. Accessible public parking is available at the Betteravia Government Center.

American Sign Language interpreters, Spanish language interpretation and sound enhancement equipment may be arranged by contacting the Clerk of the Board of Supervisors by 4:00 p.m. on Friday before the Board meeting. For information about these services please contact the Clerk of the Board at (805) 568-2240.

Closed Session

The Board of Supervisors conducts a Closed Session every Tuesday between 8:00 A.M. and 9:00 A.M. and between 1:00 P.M. and 2:00 P.M. as necessary. Closed Sessions are not open to the public. Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Actions taken by the Board during Closed Session will be announced during open session (Gov. Code Sections 54957.1(a) & (b), Ralph M. Brown Act). The Closed Session agenda is posted as an addendum to the Board's agenda each Friday in the Office of the Clerk of the Board. For information related to Closed Session announcements please contact County Counsel at (805) 568-2950.

9:00 A.M. Convene to Regular Session**Roll Call****Pledge of Allegiance****Approval of Minutes of the November 15, 2011 Meeting****12:00 P.M. Recess to Closed Session****Report from Closed Session**COUNTY COUNSEL[11-00040](#)

Closed Session Agenda

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.

Resolutions to be Presented at 1:30 P.M.A-1) SUPERVISOR WOLF [11-00883](#)

Adopt a Resolution of Commendation honoring Food from the Heart for their dedication to serving healthy meals to those in need.

A-2) SUPERVISOR WOLF [11-00886](#)

Adopt a Resolution of Commendation honoring Kids Helping Kids in recognition of their significant contributions to the Santa Barbara Community.

A-3) SUPERVISOR FARR [11-00885](#)

Adopt a Resolution of Commendation recognizing Zaveeni Kahn-Marcus as recipient of the Santa Barbara County Arts Commission 2011 Leadership in the Arts Award.

A-4) SUPERVISOR GRAY [11-00877](#)

Adopt a Resolution of Commendation honoring Sherman Hansen of the Parks Department as the December 2011 County of Santa Barbara Employee of the Month.

Honorary Resolutions

- A-5) SUPERVISOR CARBAJAL [11-00878](#)

Adopt a Resolution of Commendation honoring Cindy Sapienza for her service as President of the Summerland Citizens Association.

- A-6) SUPERVISOR CARBAJAL [11-00879](#)

Adopt a Resolution of Commendation honoring Paul Suding for his service as President of the Santa Barbara Association of REALTORS®.

- A-7) SUPERVISOR CARBAJAL [11-00903](#)

Adopt a Resolution honoring Lewis Chapel C.M.E. upon celebrating its 66th anniversary.

- A-8) SUPERVISOR WOLF, SUPERVISOR FARR [11-00884](#)

Adopt a Resolution of Commendation honoring Morgan Lunt as the 2010 Goleta Teen of the Year.

- A-9) SUPERVISOR GRAY [11-00881](#)

Adopt a Resolution of Commendation honoring Dr. Rollin C. Bailey as the 2011 Santa Barbara County Medical Society Physician of the Year.

Administrative Items

- A-10) AGRICULTURAL COMMISSIONER [11-00891](#)

Approve and authorize the Chair to execute Amendment No. 1 to the Agreement with the California Department of Food and Agriculture (CDFA) to support the Glassy-winged Sharpshooter/Pierce's Disease Program, for the period of July 1, 2010 through June 30, 2012, in the amount of \$269,049.75.

- A-11) COMMUNITY SERVICES [11-00914](#)

Consider recommendations regarding the Rancho Guadalupe Dunes Access Road initiation of bidding process for road restoration project, Third District, as follows: (4/5 Vote Required)

a) Authorize the Director of Community Services to advertise and receive bids on the Restoration of the Guadalupe Dunes Access Road;

b) Approve design and specifications for purposes of receiving bids on restoration of Guadalupe Dunes Park Road;

c) Contingent on Board approval of Coastal Resource Enhancement Fund ("CREF") grant, approve a Budget Revision authorizing the budget appropriation of \$50,000.00 for preliminary work necessary to initiate and conduct bidding process; and

d) Determine that the above actions are not a project subject to the California Environmental Quality Act ("CEQA") and direct staff to file a Notice of Exemption.

A-12) COMMUNITY SERVICES

[11-00915](#)

Consider recommendations regarding the Los Adobes de Maria II Partial Reconveyance, as follows:

a) Approve and authorize the Director of Community Services to execute one Substitution of Trustee to the County of Santa Barbara and one Request for Partial Reconveyance;

b) Approve and authorize the Director of Community Services to execute one Substitution of Trustee to Chicago Title;

c) Find that the above actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15301; and

d) Approve a Notice of Exemption.

A-13) COUNTY EXECUTIVE OFFICE

[11-00880](#)

Receive and file the Annual Evaluation Report on Equal Educational Opportunities from the Santa Barbara County Education Office, in compliance with the Williams/Valenzuela Settlement Legislation.

A-14) COUNTY EXECUTIVE OFFICE

[11-00898](#)

Consider recommendations regarding a Budget Revision for New Orcutt Library Tenant Improvements, as follows: (4/5 Vote Required)

a) Approve a Budget Revision to transfer \$90,000 from the Orcutt Administrative AB 1600 Development Impact Fees and \$30,000 from the Orcutt Library AB 1600 funds for tenant improvements at the new Orcutt Public Library;

b) Determine that the above actions are organizational or administrative activities of government that are not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA Guidelines.

A-15) COUNTY EXECUTIVE OFFICE

[11-00901](#)

Adopt the Fiscal Year 2012/2013 employer contribution rates, pursuant to Government Code Section 31454, recommended by the Santa Barbara County Employees Retirement System (SBCERS) actuary and approved by the Board of Retirement on October 26, 2011, with an effective date of July 1, 2012 or for the payroll cycle in which that date occurs.

A-16) COUNTY EXECUTIVE OFFICE[11-00895](#)

Adopt the Budget Development Policies for the Fiscal Year 2012/2013 operating budget to provide policy direction to the County Executive Office and departmental staff as necessary.

A-17) COUNTY EXECUTIVE OFFICE[11-00913](#)

Consider recommendations regarding a Community Services Department position allocation change and Budget Revision, as follows: (4/5 Vote Required)

a) Adopt a Resolution, effective December 12, 2011, reallocating positions between departments, consistent with actions taken by the Board of Supervisors regarding the structure and strategic actions for the proposed Community Services Department; and

b) Approve a Budget Revision recognizing unanticipated revenue, and transferring budgeted appropriation for salaries and benefits from the Housing and Community Development Department and the Parks Department to the Community Services Department.

A-18) GENERAL SERVICES[11-00916](#)

Consider recommendations regarding Amendments No. 1 and No. 2 to the Construction Contract for the Lake Cachuma Fire Suppression Water Reservoir, Project No. 8717, Third District, as follows:

a) Approve and authorize the Chair to execute Amendment No. 1 to the Contract with Brough Construction, Inc. for the Lake Cachuma Fire Suppression Water Supply Reservoir Improvements, in the amount of \$47,074.50, upon return of the Contractor's executed contract documents and the review and approval of County Counsel, Auditor-Controller and Risk Manager or their authorized representatives;

b) Approve and authorize the Chair to execute Amendment No. 2 to the Contract with Brough Construction, Inc. for the Lake Cachuma Fire Suppression Water Supply Reservoir Improvements, in the amount of \$9,194.85, upon return of the Contractor's executed contract documents and the review and approval of County Counsel, Auditor-Controller and Risk Manager or their authorized representatives; and

c) Re-authorize the Director of General Services or designee to approve change orders up to the limit specified in Public Contract Code Section 20142, or \$47,234.50 for this Contract.

A-19) PLANNING AND DEVELOPMENT[11-00897](#)

Receive and file a report on Emergency Permit 11EMP-00000-00006, which authorized slope repair, drainage system repair and repair of a private coastal bluff stairway located at the end of Orchid Lane within the More Mesa Shores Beguhl Tract, APNs 065-310-016, 065-310-017, and 065-310-018, Second District.

A-20) PLANNING AND DEVELOPMENT[11-00876](#)

Consider recommendations regarding the Gypsy Canyon New Agricultural Preserve Contract and Consistency Rezone, located in the Lompoc area, Fourth District, as follows:

a) Approve the Consistency Rezone as follows:

i) Make the required findings for 10RZN-00000-00004 specified in the Planning Commission action letter dated September 14, 2011, including California Environmental Quality Act (CEQA) findings;

ii) Determine the project is exempt from CEQA pursuant to Section 15061(b)(3), dated September 14, 2011; and

iii) Adopt a Zoning Map Amendment for APNs 099-060-021 and 099-070-036, amending the Inland Zoning Map from 100-AG, (Ordinance 661), to AG-II-100 (Land Use and Development Code) for the Inland Zoning Map for the Lompoc Valley Rural Areas Zones; and

b) Approve the creation of one new non-prime Agricultural Preserve Contract, Case No. 10AGP-00000-00016, as follows:

i) Determine the project is exempt from CEQA pursuant to Section 15317, dated December 6, 2011;

ii) Approve and authorize the Chair to execute an Agreement creating Agricultural Preserve 10AGP-00000-00016; and

iii) Adopt a Resolution creating Agricultural Preserve 10AGP-00000-00016.

A-21) PUBLIC HEALTH[11-00912](#)

Consider recommendations regarding a Memorandum of Understanding with Direct Relief International, as follows:

a) Approve and authorize the Chair to execute a Memorandum of Understanding with Direct Relief International (DRI) to delineate responsibilities for planning and responding to disasters and emergencies;

b) Authorize the Public Health Director to execute any Amendments to the Memorandum of Understanding with DRI, provided that the Amendment does not materially change the Agreement; and

c) Determine that these activities are exempt from California Environmental Quality Act review per CEQA Guideline Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activities may have a significant effect on the environment.

A-22) PUBLIC WORKS[11-00724](#)

Consider recommendations regarding an Ordinance amending Chapter 29 of the Santa Barbara County Code relating to the regulation of water softeners in the Laguna County Sanitation District, Third, Fourth and Fifth Districts, as follows:

a) Consider the introduction (first reading) of an Ordinance amending Article III of Chapter 29 of the Santa Barbara County Code Relating to the Regulation of Water Softeners in the Laguna County Sanitation District; and

b) Set hearing on the Administrative Agenda of December 13, 2011 to consider recommendations, as follows:

i) Consider the adoption (second reading) of an Ordinance amending Article III of Chapter 29 of the Santa Barbara County Code Relating to the Regulation of Water Softeners in the Laguna County Sanitation District;

ii) Find that the proposed Ordinance amendment is for the protection of the environment and does not involve construction activities or relaxation of standards and is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15308 (Actions by Regulatory Agencies for the Protection of the Environment); and

iii) Approve the filing of a Notice of Exemption.

A-23) PUBLIC WORKS[11-00899](#)

Consider recommendations regarding the acceptance of a public utility easement via Parcel Map No. 14,754, Fourth District, as follows:

a) Accept the offer of dedication of a public utility easement as defined on Parcel Map No. 14,754, by authorizing the Clerk of the Board to execute said map. Consummation of the easement acceptance is subject to completion and recordation of the subject map; and

b) Approve a Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines.

A-24) PUBLIC WORKS[11-00907](#)

Consider recommendations regarding approval of Tract Map No. 14,769, Fourth District, as follows:

- a) Approve the Final Map of Tract No. 14,769 by authorizing the Clerk of the Board to sign said map. Consummation of the Tract Map process is subject to completion and recordation of said map;
- b) Accept the offer of dedication of a public road easement as defined on page three of the subject Tract Map by authorizing the Clerk of the Board to sign said map. Consummation of the easement acceptance process is subject to completion and recordation of said map; and
- c) Accept the Planning Commission's finding of February 9, 2011 that approval of the Final Map of Tract 14,769 is exempt under California Environmental Quality Act (CEQA) guideline Section 15301(k).

A-25) PUBLIC WORKS[11-00910](#)

Consider recommendations regarding acceptance of public road and trail easements via Parcel Map No. 14,762, Third District, as follows:

- a) Accept the offer of dedication of a public road easement and a public trail easement, both as defined on Parcel Map No. 14,762 by authorizing the Clerk of the Board to sign said map. Consummation of the easement acceptance process is subject to completion and recordation of the subject map; and
- b) Accept the CEQA Negative Declaration prepared for the subject Parcel Map.

A-26) PUBLIC WORKS[11-00911](#)

Consider recommendations regarding acceptance of public utility easements via Parcel Map No. 14,748, Third District, as follows:

- a) Accept the offer of dedication of public utility easements as defined on Parcel Map No. 14,748 by authorizing the Clerk of the Board to sign said map. Consummation of the easement acceptance is subject to completion and recordation of the subject map; and
- b) Accept the CEQA Negative Declaration prepared for the subject Parcel Map.

A-27) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [11-00904](#)

Acting as the Board of Directors, Flood Control and Water Conservation District:

Consider recommendations regarding the Lower Mission Creek Flood Control and Restoration Project, Amendment No. 1 to the Construction Inspection Services of Reach 1A, Phase 1, Second District, as follows:

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Agreement with Fugro West, Inc. (a local vendor) for construction inspection services for the Lower Mission Creek Flood Control and Restoration Project by increasing the amount of the Agreement by \$80,000.00 for a total amount not to exceed \$411,430.00; and
- b) Find that pursuant to CEQA Section 15162, Subsequent EIRs and Negative Declarations, no new effects will occur and no new mitigation measures would be required as a result of the proposed action and therefore pursuant to CEQA Section 15162, the Lower Mission Creek Flood Control and Restoration Project is within the scope of the project covered by the EIS/EIR for the Lower Mission Creek Flood Control Project as well as the Findings and Statement of Overriding Considerations accepted by the Board as a Responsible Agency on May 11, 2011, and no new environmental document is required.

A-28) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT [11-00900](#)

Acting as the Board of Directors, Laguna County Sanitation District:

Consider recommendations regarding the Oak Knoll Road - Patterson Road Sewer Upgrade Project, Fourth District, as follows:

- a) Approve an additional \$66,559.14 for the Oak Knoll Road - Patterson Road Sewer Upgrade project (OAKSWR) for a final contract and budget amount of \$413,110.44;
- b) Approve and authorize the Chair to execute the Statement of Final Quantities for OAKSWR for work performed and materials supplied by John Madonna Construction Company, Incorporated in the amount of \$413,110.44; and
- c) Find that the Statement of Final Quantities implements OAKSWR which was evaluated in the Notice of Exemption (NOE) approved by the Board on April 12, 2011 and filed at the Clerk of the Board on April 13, 2011 pursuant to the California Environmental Quality Act (CEQA), Public Resources Code Section 21080.23 "Existing Pipelines", and California Code of Regulations Sections 15301 "Existing Facilities" and 15302 "Replacement or Reconstruction", and that no substantial change in circumstances has occurred and no information of substantial importance has come to light regarding the environmental effects of the project analyzed in the NOE.

A-29) SOCIAL SERVICES [11-00917](#)

Approve the appointment of two new community members, Grace Schoch-Manzano and Anthony L. Mitchell, to serve on the Santa Barbara County Workforce Investment Board for terms ending December 31, 2013.

Board of Supervisors

- A-30) SUPERVISOR CARBAJAL [11-00889](#)

Approve the reappointment of Larry Fausett to the Mosquito and Vector Management District of Santa Barbara County, term ending December 31, 2013, First District.

- A-31) SUPERVISOR WOLF [11-00887](#)

Approve the reappointment of Charles McClure to the Goleta Cemetery District, term ending December 31, 2015, Second District.

- A-32) SUPERVISOR WOLF [11-00888](#)

Approve the reappointment of Susan Swarbrick to the Mosquito and Vector Management District of Santa Barbara County, term ending December 31, 2013, Second District.

- A-33) SUPERVISOR WOLF, SUPERVISOR GRAY [11-00890](#)

Approve the reappointment of Alfred Joseph Rotella to the Santa Barbara County Employee's Retirement System Board, term ending December 31, 2014, Second and Fourth Districts.

- A-34) SUPERVISOR FARR [11-00905](#)

Approve the reappointment of Dr. Charles Blair to the Mosquito and Vector Management District of Santa Barbara County, term ending December 31, 2013, Third District.

- A-35) SUPERVISOR FARR [11-00906](#)

Approve the reappointment of Cathy Schlottmann to the Mosquito and Vector Management District of Santa Barbara County, term ending December 31, 2013, Third District.

- A-36) SUPERVISOR FARR [11-00918](#)

Approve the reappointment of Daniel Herlinger to the CenCal Health Board, term ending December 31, 2013, Third District.

- A-37) SUPERVISOR FARR [11-00919](#)

Approve the reappointment of Mark Juretic to the CenCal Health Board, term ending December 31, 2013, Third District.

A-38) SUPERVISOR FARR [11-00920](#)

Approve the reappointment of Laurie Small to the CenCal Health Board, term ending December 31, 2013, Third District.

A-39) SUPERVISOR FARR [11-00921](#)

Approve the reappointment of Ron Werft to the CenCal Health Board, term ending December 31, 2013, Third District.

A-40) SUPERVISOR GRAY [11-00902](#)

Approve the reappointment of LeRoy Scolari to the Agricultural Advisory Committee, open term, Fourth District.

Administrative Item**A-41) AUDITOR-CONTROLLER [11-00831](#)**

Acting as the Board of Supervisors, Board of Directors, Fire Protection District, and Board of Directors, Flood Control and Water Conservation Districts:

Adopt the following ten (10) Resolutions regarding the Proposition 4/111 Appropriations Limit, as follows:

- i) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2011/2012 for the County of Santa Barbara;
- ii) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2011/2012 for Santa Barbara County Service Area No. 3;
- iii) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2011/2012 for Santa Barbara County Service Area No. 4;
- iv) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2011/2012 for Santa Barbara County Service Area No. 5;
- v) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2011/2012 for Santa Barbara County Service Area No. 12;
- vi) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2011/2012 for Santa Barbara County Service Area No. 32;
- vii) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2011/2012 for Santa Barbara County Service Area No. 41;
- viii) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2011/2012 for the Santa Barbara County Fire Protection District;
- ix) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2011/2012 for the Santa Barbara North County Lighting District; and
- x) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2011/2012 for the Santa Barbara County Flood Control and Water Conservation Districts.

Approval of Administrative Agenda**Public Comment Period**

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) (11-00001)

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

Departmental Agenda
Planning Items and Public Hearings

Department requests continuance of Departmental Item 1) to January 17, 2012

1) PLANNING AND DEVELOPMENT [11-00607](#)

HEARING - Consider the appeal filed by Ross Bagdasarian, Jr. and Janice F. Karman of the Montecito Planning Commission's denial of the Bagdasarian appeal, 10APL-00000-00016, and de novo denial of the Bagdasarian Land Use Permit, 09LUP-00000-00256, for existing unpermitted pedestrian bridges, grading and retaining walls within an Environmentally Sensitive Habitat, located at 1192 and 1194 East Mountain Drive, in the Montecito area, First District, as follows:

- a) Deny the appeal, Case No. 11APL-00000-00009, thereby upholding the Montecito Planning Commission's denial of 10APL-00000-00016 and denial of Case No. 09LUP-00000-00256;
- b) Make the required findings for denial of the project, 09LUP-00000-00256, including CEQA findings;
- c) Determine the denial of the project is exempt from CEQA pursuant to CEQA Guidelines Section 15270; and
- d) Deny the project, Case No. 09LUP-00000-00256.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 1/17/2012

2) COUNTY EXECUTIVE OFFICE [11-00908](#)

HEARING - Adopt a Resolution to allow department heads to temporarily reduce hours of operation from December 23, 2011 through January 2, 2012 to implement previously-negotiated furlough agreements for certain groups of County employees. (EST. TIME: 5 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) COUNTY EXECUTIVE OFFICE [11-00909](#)

HEARING - Approve a Memorandum of Understanding with the Union of American Physicians and Dentists, effective for the period of November 28, 2011 through November 24, 2013, implementing the changes listed in the summary of significant changes. (EST. TIME: 5 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

4) COUNTY EXECUTIVE OFFICE[11-00869](#)

HEARING - Consider recommendations regarding allocating Coastal Resource Enhancement Fund (CREF) 2012 Grants, as follows: (EST. TIME: 30 MIN.)

- a) Approve the revision of the Coastal Resource Enhancement Fund (CREF) Guidelines, Section 3.6, Fund Deferral Program to revise the percentage of fees to acquisitions from 50% to about 15.5% (\$96,404.00) in the 2012 CREF cycle only;
- b) Approve the deferral of \$96,404.00 of acquisition monies to the Fund Deferral Program;
- c) Approve the allocation of \$296,497.00 for the Gaviota Coast Plan from the general allocation subfund in the 2012 CREF cycle;
- d) Approve the allocation of \$250,000.00 for the Guadalupe Dunes New Road and Parking Lot Access from the geeral allocation subfund in the 2012 CREF cycle;
- e) Determine that the allocation of the CREF grant for the Gaviota Coast Plan is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15262 of the State Guidelines for the implementation of CEQA; and
- f) Determine that the allocation of the CREF grant for the Guadalupe Dunes Road is exempt from CEQA pursuant to Section 15378(b)(4) of the State Guidelines for the implementation of CEQA.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

5) FIRE[11-00838](#)

HEARING - Consider recommendations regarding the Hazardous Materials Program Fee Ordinance, as follows: (EST. TIME 10 MIN.)

a) Consider the introduction (first reading) of an Ordinance that amends Chapter 15 of the Santa Barbara County Code to:

i) Adopt an updated fee schedule for the Fire Department's administration and enforcement of the California Health and Safety Code, Chapters 6.5 Hazardous Waste Control, 6.7 Underground Storage of Hazardous Substances, 6.95 Hazardous Materials Release Response Plans and Inventory, 6.11 State of California Unified Program Oversight Fees;

ii) Adopt a fee schedule for the administration and enforcement of the California Health and Safety Code, Chapter 6.67 Aboveground Petroleum Storage Act (APSA); and

iii) Adopt a fee schedule for the delinquent payment of fee(s); and

b) Set hearing on the Administrative Agenda of December 13, 2011 to consider recommendations, as follows:

i) Consider the adoption (second reading) of an Ordinance amending Chapter 15 of the Santa Barbara County Code; and

i) Approve a Notice of Exemption and find that these fee increases enable the operation of the Hazardous Materials regulatory programs and as such are statutorily exempt under section 15273 of the California Environmental Quality Act guidelines.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

6) PLANNING AND DEVELOPMENT[11-00871](#)

HEARING - Consider recommendations regarding Economic Hardship Time Extensions Chapter 21 Ordinance Amendments, as follows: (EST. TIME: 15 MIN.)

a) Approve the introduction (first reading) of an Ordinance, Case No. 11ORD-00000-00027, amending Chapter 21, Land Division, of the Santa Barbara County Code, to do the following:

i) Extend the authority of the Director of the Planning and Development Department to grant a two year time extension to approved lot line adjustments due to economic hardship considerations by changing the sunset date of the existing regulations from January 12, 2012 to January 12, 2015; and

ii) Provide that more than one such extension may be granted by the Director; and read the title and waive further reading of the ordinance, Case No. 11ORD-00000-00027, amending Chapter 21, Land Division, of the Santa Barbara County Code; and

b) Set a hearing on the Administrative Agenda of December 13, 2011 to do the following:

i) Make the findings for approval, including CEQA findings, of the proposed Ordinance;

ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and

iii) Consider the adoption (second reading) an Ordinance, Case No. 11ORD-00000-00027, amending Chapter 21, Land Division of the Santa Barbara County Code.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

7) PLANNING AND DEVELOPMENT[11-00870](#)

HEARING - Consider recommendations of the County and Montecito Planning Commissions to approve Case Nos. 11ORD-00000-00024, 11ORD-00000-00025, 11ORD-00000-00026 and 11ORD-00000-00028 which would amend, respectively, the County Land Use and Development Code, the Montecito Land Use and Development Code, the Article II Coastal Zoning Ordinance and the Montecito Growth Management Ordinance, to (1) extend the authority of the Director of the Planning and Development Department to grant a two year time extension to approved permits and projects due to economic hardship considerations by changing the sunset date of the existing regulations from January 12, 2012 to January 12, 2015, and (2) provide that more than one such extension may be granted by the Director, as follows: (EST. TIME: 30 MIN.)

a) Consider recommendations regarding Case No. 11ORD-00000-00024, County LUDC Amendment, as follows:

i) Make the findings for approval, including CEQA findings, of the proposed ordinance;

- ii) Determine that the adoption of this ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA;
- iii) Approve Case No. 11ORD-00000-00024, an ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code;
- b) Consider recommendations regarding Case No. 11ORD-00000-00025, Montecito LUDC Amendment, as follows:
 - i) Make the findings for approval, including CEQA findings, of the proposed ordinance;
 - ii) Determine that the adoption of this ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA;
 - iii) Approve Case No. 11ORD-00000-00025, an ordinance amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code;
- c) Consider recommendations regarding Case No. 11ORD-00000-00026, Article II Coastal Zoning Ordinance Amendment, as follows:
 - i) Make the findings for approval, including CEQA findings, of the proposed ordinance;
 - ii) Determine that the adoption of this ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA;
 - iii) Approve Case No. 11ORD-00000-00026, an ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code; and
- d) Consider recommendations regarding Case No. 11ORD-00000-00028, Montecito Growth Management Ordinance Amendment, as follows:
 - i) Make the findings for approval, including CEQA findings, of the proposed ordinance;
 - ii) Determine that the adoption of this ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and
 - iii) Approve Case No. 11ORD-00000-00028, an ordinance amending Chapter 35B, the Montecito Growth Management Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

8) PLANNING AND DEVELOPMENT[11-00848](#)

HEARING - Consider recommendations of the County Planning Commission to approve Case Nos. 11ORD-00000-00022 and 11ORD-00000-00023, to amend the County Land Use and Development Code and the Article II Coastal Zoning Ordinance, to specify the appropriate permit requirements for hydraulic fracturing of any new or existing well, as follows: (EST. TIME: 45 MIN.)

a) Consider recommendations regarding Case No. 11ORD-00000-00022, County Land Use and Development Code Amendment, as follows:

i) Make the findings for approval, including CEQA findings, of the proposed Ordinance;

ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15308 of the Guideline for Implementation of CEQA; and

iii) Approve Case No. 11ORD-00000-00022, an Ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code; and

b) Consider recommendations regarding Case No. 11ORD-00000-00023, Article II Coastal Zoning Ordinance, as follows:

i) Make the findings for approval, including CEQA findings, of the proposed Ordinance;

ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15308 of the Guidelines for Implementation of CEQA; and

iii) Approve Case No. 11ORD-00000-00023, an Ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

9) SHERIFF[11-00849](#)

HEARING - Consider recommendations regarding the Santa Barbara County Jail Northern Branch Jail Update and AB 900 Phase II Jail Construction Financing Program Application, as follows: (EST. TIME: 1 HR.)

- a) Receive and file a presentation and report from the Sheriff's Department on the status of the Northern Branch Jail and the AB 900 Phase 2 Application;
- b) Consider an addendum to the Final Subsequent Environmental Impact Report (EIR), State Clearinghouse No. 2007111099, that the Board of Supervisors certified on March 11, 2008;
- c) After considering the Final Subsequent Environmental Impact Report that the Board of Supervisors certified on March 11, 2008, and the EIR addendum attached to this Board Agenda Letter as Attachment B, adopt the California Environmental Quality Act (CEQA) findings and determine, pursuant to 14 CCR 15162(a), that no subsequent EIR or Negative Declaration is required for this project because of the following:
 - i) No substantial changes are proposed in the project which require major revisions of the 2008 Final Subsequent EIR;
 - ii) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which require major revisions of the 2008 Final Subsequent EIR; and
 - iii) No new information of substantial importance concerning the project's significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the Final Subsequent EIR was certified in 2008, has been received that requires a subsequent EIR or Negative Declaration;
- d) Adopt a Resolution authorizing the Sheriff's Department to submit an Application under AB 900 Phase II, Preference Option A (Admissions Option) for funding of the Northern Branch Jail in the amount of \$80 million, and other provisions related to the application; and
- e) Authorize the Sheriff to make non-substantive edits to the Application prior to submission to the Corrections Standards Authority (CSA), and to correct any technical deficiencies requested by the CSA following submission. The Board of Supervisors will have the ultimate authority to approve or deny County's commitment to the project in State-required follow-on agreements.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Board Member Reports

Adjourn to

December 13, 2011

Joseph Centeno Betteravia Government Administration Building

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, December 6, 2011 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, December 8, 2011, at 5:00 PM and on Saturday, December 10, 2011, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>