



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Planning &  
Development  
**Department No.:** 053  
**For Agenda Of:** May 12, 2009  
**Placement:** Administrative  
**Estimated Tme:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department John Baker, Director, Planning and Development  
Director(s)  
Contact Info: Derek Johnson, Director, Office of Long Range Planning

**SUBJECT:** Summerland Planning Advisory Committee - Reduction of Membership/Quorum

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:** N/A

**Recommended Actions:** Staff recommends that the Board of Supervisors:

Adopt a resolution (Attachment A) to reduce the Summerland Planning Advisory Committee (SunPAC) to the following nine members (with a quorum being 5 members), appointed by the First District Supervisor:

1. Robin Donaldson
2. Tom Evans
3. Betty Franklin
4. Paul Franz
5. David Hill
6. Mary Holzhauer
7. Nancy Kimsey
8. Suzanne Perkins
9. Reeve Woolpert

**Summary Text:**

This item is on the agenda for the Board of Supervisors' consideration pursuant to procedures outlined in Section V, Term of Office, in the Board-adopted General Plan Advisory Committee Guidelines of April 9, 1991 (Exhibit 1). The SunPAC will advise staff of the community goals for the revision of the Summerland Community Plan and Design Guidelines, as depicted in the attached organization chart

(Exhibit 2). The eleven-member SunPAC was established by the Board of Supervisors by resolution on November 27, 2007 to update land use policies in Summerland. Two SunPAC members resigned in winter 2009. In order to complete the policy update and to comply with the County’s adopted GPAC guidelines, it is recommended that the Board of Supervisors adjust the SunPAC to a nine-member committee, with a quorum of five members.

**Background:**

As directed by the Board of Supervisors, the SunPAC is conducting a collaborative public process to update the Residential Design Guidelines and create new Commercial Design Guidelines. In July, the SunPAC will begin the process of updating the Traffic, Circulation, and Parking section of the Summerland Community Plan. This process is following the County’s established Community Plan policy framework and will produce an updated Community Plan that contains area goals, policies, and action items. The policy update began in December 2007, and the SunPAC’s work will be completed in the December 2009.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund	\$ 82,066.95		\$ 517,593.11
State			
Federal			
Fees			
Other:			
Total	\$ 82,066.95	\$ -	\$ 517,593.11

Narrative: The Summerland Community Plan Update and Design Guidelines is a Board-approved project, budgeted from the General Fund, and is fully staffed by current employees in the Office of Long Range Planning.

**Staffing Impacts:**

**Legal Positions:**  
N/A

**FTEs:**  
N/A

**Special Instructions:**

N/A

**Attachments:**

1. Attachment A – Resolution in the Matter of Approving Adjustment of the Summerland Planning Advisory Committee
2. Exhibit 1 – 1991 GPAC Guidelines
3. Exhibit 2 – Summerland Community Plan Organizational Framework Diagram

**Authored by:**

Lucy Pendl, Assistant Planner, Office of Long Range Planning

RESOLUTION OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF APPROVING ) RESOLUTION NO: 09-\_\_\_\_  
ADJUSTMENT OF THE )  
SUMMERLAND PLANNING )  
ADVISORY COMMITTEE )

WHEREAS, in June 2007 the Board of Supervisors approved Resolution 07-397 authorizing an update to the Summerland Community Plan, revisions to the Residential Design Guidelines, and creation of the Commercial Design Guidelines in Long Range Planning Division's Work Program; and

WHEREAS, the Board of Supervisors accepted applications for positions on the Summerland Planning Advisory Committee from residents and or property owners/representatives within the Summerland Community Plan boundary; and

WHEREAS, the First District Supervisor conducted interviews and selected eleven members for the Summerland Planning Advisory Committee; and

WHEREAS, two Summerland Planning Advisory Committee members resigned in winter 2009; and

WHEREAS, the Design Guidelines portion of the Community Plan Update has progressed over the past two years and is nearing completion.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. The above recitations are true and correct.
2. The previously appointed members of the Summerland Planning Advisory Committee (hereinafter referred to as SunPAC), except those who have resigned, shall serve the remainder of their terms.
3. Section 3 of Resolution 07-397 shall be amended as follows (deleted language is in ~~striketrough~~ type, added language shown is underlined):  
The term of office shall be for approximately four (4) ~~two (2)~~ years coinciding with the term of office of the First District Supervisor. Termination of members shall be subject to majority approval by the Board of Supervisors. Replacement of members shall be based on nomination by the First District Supervisor subject to approval by the Board of Supervisors.
4. Section 5 of Resolution 07-397 shall be amended as follows (deleted language is in ~~striketrough~~ type, added language shown is underlined):

A quorum shall consist of ~~7~~ five (5) members and shall be required to conduct any County-sanctioned SunPAC meetings.

5. All other provisions of the Guidelines for General Plan Advisory Committees and Similar Advisory Bodies, as approved by the Board of Supervisors on April 9, 1991 and as shown in Exhibit 1, shall apply to the SunPAC upon approval by the Board of Supervisors.
6. The scope of work for the SunPAC shall remain the same as stated in Resolution 07-397.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_ day of \_\_\_\_\_, 2009, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

\_\_\_\_\_  
JOSEPH CENTENO  
Chair, Board of Supervisors  
County of Santa Barbara

ATTEST:

MICHAEL F. BROWN  
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

DENNIS MARSHALL  
County Counsel

By \_\_\_\_\_  
Deputy Clerk

By  \_\_\_\_\_  
Deputy County Counsel

## Exhibit 1

Exhibit 1

**GPAC GUIDELINES**

***Guidelines for General Plan Advisory Committees  
And Similar Advisory Bodies***

**Santa Barbara County**

April 9, 1991

**1. Introduction**

The purpose of these Guidelines is twofold:

- 1) To clarify the respective roles of the each participant in the citizen advisory committee process; and
- 2) To outline the “rules of the game,” so that everyone has similar expectations and understanding of the overall process, and each participant sees how they and others *together* contribute to “forwarding the actions;” that is, moving toward accomplishing the committee’s specific product-goals within an appropriate schedule and budget.

The advisory committee process is a collaborative one involving an often diverse array of individuals and viewpoints, levels of expertise and matters of concern. The public , committee appointees, and respective staff from the appointing Supervisor’s office, the Resource Management Department (RMD), and from other agencies and offices all benefit in having a clear understanding of their respective roles and responsibilities in the committees’ conduct of their official business.

We have made an effort to cover all essential aspects of the committee operations, such as how appointments are made, how long each member’s term is, the responsibilities of different participants, conflict of interest issues, and meeting procedures. Nonetheless, these Guidelines are not exhaustive, not do they incorporate all statutes and regulations which may apply to GPAC operations, e.g. State open meetings law (Brown Act). The Guidelines strive to make adequate reference to other rules, as appropriate.

## **2. Applicability**

These Guidelines apply to all Board-appointed citizen advisory committees whose primary mission involves products and activities of the County Resource Management Department (RMD). Although there are many groups which provide input to the public process, e.g. Technical Advisory Committees, Agricultural Element Advisory Committee, Transportation Demand Management Advisory Task Force, etc., for ease of reference in these Guidelines, they are collectively termed “GPACs” (General Plan Advisory Committees).

## **3. Establishment of GPACs**

GPACs are established to advise the Board of Supervisors, Planning Commission, Planning and Development staff, and other County officials on matters related to the implementation and periodic modification of the Comprehensive Plan. These committees are creation of the County Board of Supervisors; their establishment is not specifically *required* by any State laws or regulations. Therefore, the Board of Supervisors has discretion to create, modify, and terminate GPACs, their membership, mission statement, schedule, etc. at any time.

## **4. Committee Authority**

GPACs are advisory in nature and have no authority to approve, deny, or require modification to any matter or project under the committee’s consideration. The committee’s advice shall be conveyed to the appropriate decision-making body in the staff report. County staff will acknowledge GPAC input in formulation staff’s recommendations for action by County decision-makers. Staff is assigned responsibility for the timely completion of Board-approved Comprehensive Planning work programs and development permit application reviews.

## **5. Appointment Process and Membership Term**

### **A) Size**

The size of a GPAC shall be established by the Board of Supervisors upon creation of the committee. Typically, such committees consist of no more than fifteen (15) members. Committees should have an odd number of members; this eliminates ambiguity as to what constitutes a quorum, and minimizes the possibility of tie votes.

### **B) Composition**

The composition of a GPAC should be determined at the time of its creation, especially if it is intended that specific geographic areas, professional affiliations, community segments and/or other interest groups be represented in the committee’s membership.



### **C) Vacancies and Application Process**

A vacancy or vacancies on a GPAC shall exist

- 1) When the committee is created
- 2) When a member or members is/are formally removed by the Board of Supervisors, or
- 3) When the Board receives and acknowledges a letter of resignation from an incumbent.

Vacancies on a GPAC shall be advertised by the Clerk of Board of Supervisors in the same manner as vacancies for other County advisory commissions. Vacancies shall be advertised within ten (10) calendar days of their availability. Applications for membership shall be submitted on forms provided by the Clerk of the Board, and shall be accepted by the Clerk.

### **D) Selection Process**

Upon the close of an application period, a copy of each application submitted will be given to the Board member(s) in whose district(s) the vacancy or vacancies exist. Appointment(s) shall be recommended by such Board member(s), for confirmation by the entire Board. In cases where a committee operates in more than one supervisorial district, representation on the committee shall be roughly proportional to the area and/or population of the respective districts. All members on such multi-district committees shall be specifically appointed by one of the participating supervisors. In no case can any individual be appointed concurrently as a regular member of more than one committee.

### **E) Term of Office**

The term of office for a GPAC and its members is established by the Board of Supervisors when it creates the committee. For the committees which operate within a single supervisorial district, the maximum terms of office may be four (4) years, coinciding with the Board member's term of office. Other committees may have terms of office of two (2) years, unless a different term of office is set by the Board. In no case is any term of office indefinite.

## **6. Committee Operations**

### **A) Committee Mission and Responsibilities**

The specific mission for a GPAC and its term of service shall be established by the Board of Supervisors at the time of its creation of the Committee. In the absence of any such specific mission statement, the mission of a GPAC shall be to:

- 1) Assist and advise the Board of Supervisors, Planning Commission, and County staff in their developing, adopting, ... Barbara County Comprehensive Plan;
- 2) Review and comment upon other matters related to the County's planning functions, upon specific direction by the Board of Supervisors.

## **B) Officers and Rules of Conduct**

The responsibilities of the GPAC at large also include annual election of officers, consisting of at least a Chair, Vice-Chair, and Recording Secretary. The Chair shall lead all meetings, be the primary spokesperson for the GPAC, and be the primary committee liaison to staff and the public. The Vice-Chair shall fulfill the duties of Chair in the latter's absence. The recording Secretary shall take notes of, or tape-record, each regular and special committee meeting, and shall prepare minutes, and shall prepare minutes of motions, discussion items, etc. At a minimum, these minutes shall clearly convey actions and motions taken by the Committee. These minutes are to be considered, amended as needed and approved by the full committee at the earliest possible time. In addition, the committee may adopt specific rules of conduct and procedure, as long as such rules are consistent with the applicable laws and regulations (including these Guidelines).

## **C) Meeting Procedure**

All GPACs are subject to the Brown Act, which set standards for public notice as to meeting time, date and location as well as items to be discussed. Key implications of this are as follows:

- 1) Noticing of all GPAC meetings, including time, location and an agenda, must be posted in a public place within the applicable area. Efforts should be made to provide adequate public notice beyond minimum Brown Act requirements of seventy-two (72) hours.
- 2) All GPAC meetings must be open and public. Meetings are to be held in a facility which makes adequate provision for attendance by all interested members of the public.
- 3) Members of the public are to be given an opportunity to speak to the Committee on any regular agenda item at the time it is being discussed. Members of the public will also be given an opportunity to speak to any relevant non-agenda item. All public speakers are subject to reasonable time constraints established by the Committee Chairperson and any adopted procedures. All public speakers are to identify their names and relevant business and/or personal interests they are representing for the record.
- 4) Committees will attempt to establish a consistent regular meeting time and location in their rules of conduct.
- 5) Minutes of GPAC meetings will be kept on file by both the committee secretary and RMD. These minutes shall be available for any interested person to examine.
- 6) All GPACs will elect officers and may adopt rules of procedure (See end of Section 5.B above)
- 7) Meetings shall run in a parliamentary style. Substantive issues will have higher priority than matters of procedural detail. The Chair has discretion in guiding discussion of items among Committee members while allowing for appropriate public input.

- 8) Staff may address the Committee at any time, with timely recognition by the Chair.
- 9) Quorum: A majority of the members of the GPAC constitute a quorum. Decisions are made by a majority of the members present and voting. No business may be transacted if fewer than a quorum is present. Formal votes by a committee are to have a motion and second, prior to allowing further discussion and a vote.
- 10) Members of the GPAC shall not vote on issues which involve a legal or ethical conflict of interest or duty (See section 7)
- 11) Subcommittees: GPACs may select subcommittees to focus on issues or subjects meriting more detailed work outside of the full Committee. Subcommittees are made up of Committee members only, and must number fewer than a quorum of the full GPAC. Subcommittee meeting arrangements may be set by either the staff or the committee. Such meetings are not legally required to be noticed or posted, but every effort should be made by a subcommittee officer or member to notice and/or post the meetings, as they are open to any interested member of the public. Information about their time and location is to be available through the overall committee secretary and through RMD staff. Subcommittees shall choose a Chair and a Vice-Chair, and may choose a Recording Secretary for preparing informal minutes. A report from any subcommittee meeting shall be made at the next full GPAC meeting. Staff support for subcommittee meetings may be provided, but is not required.

#### **D) Attendance**

GPAC members shall make every effort to attend regular meetings. Members unable to attend any meeting should contact the committee Chair or RMD staff at least seventy-two (72) hours prior to the meeting. Three consecutive unannounced absences by a member shall be grounds for dismissal from the GPAC, subject to the discretion of the appointing Supervisor(s).

#### **E) Appearance on GPAC's behalf**

The Chair, Vice-Chair, or other official designee shall speak for the Committee at any applicable non-GPAC public hearing or other meeting. Individual members of GPAC not so designated, who do testify at a public hearing or other meeting, shall clearly identify themselves as speaking individually as a member of GPAC, and shall clearly indicate that they are not authorized to speak for the full committee.

#### **F) Timely adjournment of evening meetings**

To encourage public participation, evening meetings of GPAC will be organized, agendaized and run so as to finish at a reasonable hour. If a particular GPAC finds its evening meetings habitually running past 9:30PM, staff and the Chair will work together to shorten the agendas and , if necessary, to expedite committee discussion and action on items.

## 7. Conflicts of Interest

GPAC members are not considered to be “public officials” as defined in § 82048 of the California Government Code, and therefore are not subject to the State Political Reform Act and its disclosure provisions (Government Code §§ 81000 et seq.). Nevertheless, GPAC members shall remove themselves from all discussions and votes on matters in which they have any direct personal financial interest, or where the member’s professional allegiance and/or personal bias cannot be set aside to allow the member’s fair consideration of the issue(s) at hand.

In gauging such extra-legal conflicts of interest and/or duty, each member shall exercise careful judgment and introspection in giving priority to the interests of fairness and objectivity; if there is any reasonable doubt that the member has a conflict, the member shall refrain from participation in the committee’s deliberations and vote(s). Should a member not refrain voluntarily, and should the member’s participation specifically be challenged by another committee member, staff, or the public, the member’s participation on any item of official committee business may be prevented by a two-thirds majority vote of the full committee (i.e., at least two-thirds of the total incumbent committee membership, including the member in question). Pervasive or recurring conflicts of interest and/or duty should lead a member to resign voluntarily from a GPAC, and may be grounds for a dismissal by the appointing Supervisor(s).

## 8. Committee and Staff Responsibilities

### A) GPAC Member Duties

The responsibilities of the individual GPAC members include:

- 1) Punctually and fully attend all regular and special meetings of the GPAC and all relevant subcommittee meetings, to the maximum possible extent;
- 2) Come to all meetings fully prepared, having reviewed the agenda and all related written/graphic material available before the meeting;
- 3) Conscientiously follow high ethical standards in putting the broad public interest ahead of any personal interest and/or bias, and to abstain from all discussions and votes where this is not possible;
- 4) Promote full and open discussion of all matters of official committee business;
- 5) Support the committee Chair, Vice-Chair, and staff in maintaining order, keeping discussions relevant to the business at hand, and following proper procedures, while giving primary attention to matters of substance.
- 6) **In meetings pertaining to development projects, strive to comment on projects in a productive and expeditious manner which recognizes State and County-established processing timelines. Particularly, any GPAC comments on environmental documents**

relating to development projects shall be made within the established environmental review timelines.

### **B) Board of Supervisors' Administrative Staff**

The Administrative Assistant(s) of each pertinent Supervisor works cooperatively with RMD and other participating public agency staff, and observes and participates in the GPAC's activities on behalf of the Supervisor(s), as well as conveying the interests of the Supervisor(s) to the committee. The Administrative Assistant(s) are also responsible for matters relating to the appointment of GPAC members.

Meetings dealing with development project review are schedule by, and primarily supported by, the Board's Administrative Assistant(s), with an RMD planner familiar with the project in attendance, if feasible. **Scheduling of such meetings shall recognize case processing timelines. Representative of development projects shall be encouraged to attend all applicable GPAC meetings.**

### **C) RMD Planning Staff Duties**

Staff responsibilities in supporting a GPAC include:

- 1) Schedule all GPAC meetings pertaining to Comprehensive Plan issues, making arrangements for all facilities, distribute written/graphic materials, notices, agendas, etc. For such meetings, coordinate necessary staff participation and guest speakers;
- 2) For GPAC meetings as appropriate, prepare recommendations and other material for GPAC review and comment. Advise the GPAC on matters of both substance and procedure;
- 3) Assist the GPAC Chair in promoting full and open participation by all GPAC members and other people in attendance at any meeting, keeping discussion pertinent to the business at hand;
- 4) Handle information requests for material and general information related to the official business of the GPAC;
- 5) Report the GPAC's activities. Recommendation and comment to County decision-makers and official within the framework of the overall presentation of staff recommendation on a committee product-goal (i.e. a draft community plan update, a technical element or portion thereof, or a project application);
- 6) Coordinate with the Chair and Secretary on committee and subcommittee meeting schedules.

### **D) County Counsel**

Staff support to GPACs will not be provided by County Counsel. Specific legal issues are to be directed through RMD to County Counsel for response; RMD shall also coordinate with Board Administrative Assistants on such items as applicable.

## Exhibit 2

# Summerland Community Plan Update Organizational Framework

