

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

Action Summary

Tuesday, November 15, 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.

9:00 A.M. Convene to Regular Session

CONVENED 9:07 A.M.

Roll Call

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

Pledge of Allegiance

Approval of Minutes of the November 8, 2011 Meeting

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

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

Report from Closed Session

COUNTY COUNSEL

[11-00040](#)

Closed Session Agenda

No reportable action taken.

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 CARBAJAL, SUPERVISOR WOLF [11-00864](#)

Adopt a Resolution of Commendation honoring William E.G. Batty III, MSW for his dedicated service to families, children and seniors in Santa Barbara County.

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

RESOLUTION NO. 11-373

The motion carried by the following vote.

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

Honorary Resolutions

A-2) SUPERVISOR GRAY [11-00852](#)

Adopt a Resolution of Commendation recognizing Volunteers for Inter-Valley Animals (VIVA) for their 30 years of service to the Lompoc Valley.

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

RESOLUTION NO. 11-374

The motion carried by the following vote.

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

Administrative Items

A-3) AUDITOR-CONTROLLER [11-00855](#)

Receive and file the Santa Barbara County Final Budget for Fiscal Year 2011/2012.

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

A-4) COUNTY CLERK-RECORDER-ASSESSOR [11-00850](#)

Adopt a Resolution terminating the County of Santa Barbara’s existing Help America Vote Act (HAVA) Section 301 Contract with the State of California, and authorizing the Chair to execute a new HAVA Section 301 Contract with the State in order to ensure that the County continues to have access to \$2,005,312.93 balance in HAVA grant funds allocated to the County of Santa Barbara.

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

RESOLUTION NO. 11-375

The motion carried by the following vote.

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

A-5) COUNTY EXECUTIVE OFFICE [11-00858](#)

Consider co-sponsoring the 2011 Toys for Tots Campaign and the Christmas Unity Food Drive for Santa Barbara County Employees.

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

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

A-6) COUNTY EXECUTIVE OFFICE [11-00865](#)

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

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

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

A-7) COUNTY EXECUTIVE OFFICE [11-00873](#)

Consider the adoption of the 2012 Board of Supervisors' Schedule of Meeting Dates and Locations.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, that this matter be Adopted. The motion carried by the following vote.

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

A-8) HOUSING AND COMMUNITY DEVELOPMENT [11-00839](#)

Consider recommendations regarding the Braddock House HOME Investment Partnerships Program (HOME) Loan Agreement, Second District, as follows:

- a) Approve and authorize the Chair to execute a Loan Agreement in the amount of \$235,000.00; and
- b) Approve and authorize the Chair to execute the HOME Regulatory Agreement with Surf Development Company for the Braddock House Project.

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

a) and b) Approved; Chair to execute.

The motion carried by the following vote.

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

A-9) HOUSING AND COMMUNITY DEVELOPMENT

11-00860

Authorize Housing and Community Development staff to proceed with the 2012 Notice of Funding Availability (NOFA) and proposed funding process for federal funds received through the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Shelter Grant (ESG) programs, and to return to the Board in April 2012 to provide an update and present the draft 2012 Action Plan, including projects recommended for funding.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Authorized. The motion carried by the following vote.

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

A-10) HOUSING AND COMMUNITY DEVELOPMENT

11-00861

Consider recommendations regarding the Rancho Hermosa HOME Investment Partnerships Program (HOME) Loan Agreement, Fifth District, as follows:

- a) Approve and authorize the Chair to execute a Loan Agreement in the Amount of \$1,022,176.00;
- b) Approve and authorize the Chair to execute a 55 year HOME Regulatory Agreement and a 55 year In-Lieu Regulatory Agreement with McClelland Santa Maria, L.P., a California limited partnership; and
- c) Approve and authorize the Interim Director of Housing and Community Development to execute one Subordination Agreement for this project in a form approved by County Counsel, for a loan by the California Tax Credit Allocation Committee (TCAC).

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

- a) and b) Approved; Chair to execute; and**
- c) Approved.**

The motion carried by the following vote.

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

A-11) HUMAN RESOURCES

[11-00851](#)

Approve and authorize the Chair to execute an amended Agreement with Chandra L. Wallar for services as the County Executive Officer.

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

A-12) HUMAN RESOURCES

[11-00853](#)

Receive and file the Annual Report of the Civil Service Commission for Fiscal Year 2010/2011.

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

A-13) PLANNING AND DEVELOPMENT[11-00874](#)

Adopt a Resolution to extend the Summerland Planning Advisory Committee (SunPAC) term of office for one year. The following nine members would continue to serve on the SunPAC:

- a) Robin Donaldson;
- b) Tom Evans;
- c) Betty Franklin;
- d) Paul Franz;
- e) David Hill;
- f) Mary Holzhauer;
- g) Nancy Kimsey;
- h) Suzanne Perkins; and
- i) Reeve Woolpert.

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

RESOLUTION NO. 11-376

The motion carried by the following vote.

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

A-14) PUBLIC HEALTH[11-00845](#)

Consider recommendations regarding the Children's Medical Services Plan for Fiscal Year 2011/2012, as follows:

- a) Approve and authorize the Chair to execute a Plan with the State Department of Health Services for the Children's Medical Services program for the period of July 1, 2011 through June 30, 2012, in the amount of \$3,011,409.00; and
- b) 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 motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, that this matter be Acted on as follows:

- a) Approved; Chair to execute; and**
- b) Approved.**

The motion carried by the following vote.

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

A-15) PUBLIC HEALTH

11-00846

Consider recommendations regarding the Maddy Emergency Medical Services (EMS) Fund, as follows:

- a) Adopt a Resolution to maintain the Maddy EMS Fund for Santa Barbara County by continuing to assess fines on certain criminal violations and on alcohol and drug related criminal violations;
- b) Direct EMS Agency staff of the Public Health Department to work with other County staff and interested parties to assess options for providing a permanent source of funding for a Maddy EMS Fund in Santa Barbara County; 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 motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, that this matter be Acted on as follows:

a) Adopted.

RESOLUTION NO. 11-377

b) and c) Approved.

The motion carried by the following vote.

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

A-16) PUBLIC HEALTH

11-00847

Consider recommendations regarding a Waste Tire Enforcement Grant Application pursuant to Public Resources Code Sections 40000 et seq, as follows:

- a) Adopt a Resolution authorizing the Public Health Department's Director of Environmental Health Services to re-apply for a Waste Tire Enforcement Grant from CalRecycle for Fiscal Year 2012/2013; and
- b) 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 motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, that this matter be Acted on as follows:

a) Adopted

RESOLUTION NO. 11-378

b) Approved.

The motion carried by the following vote.

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

Department requests continuance of Item A-17) to December 6, 2011

A-17) 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, Second, Third, Fourth and Fifth Districts, as follows:

a) Consider the adoption (second reading) of an Ordinance entitled, “An Ordinance of the Board of Supervisors, County of Santa Barbara, State of California, Amending Chapter 29 of the Santa Barbara County Code Relating to the Regulation of Water Softeners in the Laguna County Sanitation District”; and

b) Approve a Notice of Exemption pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (14 CCR 15061 (b)(3)).

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, that this matter be Withdrawn from the agenda. The motion carried by the following vote.

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

A-18) PUBLIC WORKS**11-00863**

Consider recommendations regarding construction of Fiscal Year 2010/2011 Proposition 1B Hot Mix Asphalt Overlay, County Project No. 810538, First, Second, and Third Districts, as follows:

- a) Approve and authorize the Chair to execute the Statement of Final Quantities for the Fiscal Year 2010/2011 Proposition 1B Hot Mix Asphalt Overlay for work performed and materials supplied by Granite Construction Company in the amount of \$1,196,556.58;
- b) Find that the proposed action has no possibility of significant effect on the environment, that the proposed action is therefore exempt from CEQA pursuant to 14 CCR Section 15061 (b,3); and
- c) Approve the filing of a Notice of Exemption.

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

a) Approved; Chair to execute;

b) and c) Approved.

The motion carried by the following vote.

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

A-19) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT**11-00854**

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

Consider recommendations regarding Amendment No. 1 to the Agreement for Design Services for the Lower Mission Creek Bypass Culvert Improvement, Second District, as follows:

- a) Approve and authorize the Chair to execute the no cost Amendment No. 1 to the Agreement with Tetra Tech, Inc. (a tri-county vendor) for design services for Reach 2A of the Lower Mission Creek Bypass Culvert Improvement Project, amending the period from May 31, 2011 to December 31, 2013; 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 Bypass Culvert Improvement 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 motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, that this matter be Acted on as follows:

- a) Approved; Chair to execute;**
- b) Approved.**

The motion carried by the following vote.

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

A-20) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [11-00856](#)

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

Consider recommendations regarding the Santa Barbara County Hydrology Report for 2010/2011, as follows:

- a) Receive and file the Santa Barbara County Hydrology Report for 2010/2011;
- b) Authorize distribution of the report for County and public information; and
- c) Find that the proposed action does not constitute a “Project” within the meaning of CEQA, pursuant to 14 CCR 15378 (a), in that the action has no potential for resulting in a direct or indirect physical change to the environment.

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

- a) Received and filed;**
- b) Authorized; and**
- c) Approved.**

The motion carried by the following vote.

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

A-21) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

11-00857

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

Consider recommendations regarding the North Avenue Storm Drain Project located in the City of Lompoc, Fourth District, as follows:

- a) Approve the North Avenue Storm Drain Project;
- b) Approve and authorize the Chair to execute the Joint Powers Agreement (JPA) with the City of Lompoc (City) to share services and cost for the North Avenue Storm Drain Project;
- c) Authorize the Public Works Director to advertise and receive bids for the North Avenue Storm Drain Project;
- d) Find that the proposed approval and authorization of the JPA with the City does not constitute a “Project” within the meaning of the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15378 (b)(4). The creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment;
- e) Find that the proposed North Avenue Storm Drain Project is exempt under CEQA guidelines, Section 15304, Minor Alterations to Land; and
- f) Approve the filing of a Notice of Exemption.

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

- a) Approved;**
- b) Approved; Chair to execute.**
- c) Authorized; and**
- d) through f) Approved.**

The motion carried by the following vote.

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

Hearing Requests

A-22) PLANNING AND DEVELOPMENT

[11-00848](#)

Set hearing to 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:

(Set hearing for 12/6/11. Time estimate 45 minutes.)

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.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: December 6, 2011 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 Lavagnino

A-23) PLANNING AND DEVELOPMENT11-00870

Set hearing to 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:

(Set hearing for 12/6/11. Time estimate 30 minutes.)

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

i) Make the findings for approval, including California Environmental Quality Act (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 Santa Barbara 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 Santa Barbara 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 Santa Barbara 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.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, that this matter be Set for a hearing, as follows: December 6, 2011 in Santa Barbara (EST. TIME: 30 MIN.). The motion carried by the following vote.

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

A-24) PLANNING AND DEVELOPMENT

11-00871

Set hearing to consider recommendations regarding Case No. 11ORD-00000-00027, an Ordinance amending Chapter 21, Land Division, of the Santa Barbara County Code, 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:

(Set hearing for 12/6/11. Time estimate 15 minutes.)

- a) Make the findings for approval, including CEQA findings, of the proposed Ordinance;
- b) Consider the introduction (first reading) of an Ordinance, Case No. 11ORD-00000-00027, amending Chapter 21, Land Division, of the County Code; and
- c) Set hearing on the Administrative Agenda of December 13, 2011 to consider recommendations, as follows:
 - i) Consider the adoption (second reading) of an Ordinance, Case No. 11ORD-00000-00027, amending Chapter 21, Land Division of the County Code; and

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.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, that this matter be Set for a hearing, as follows: December 6, 2011 in Santa Barbara (EST. TIME: 15 MIN.). The motion carried by the following vote.

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

A-25) SHERIFF

11-00849

Set Hearing to consider recommendations regarding the Santa Barbara County Jail Northern Branch Jail Update and AB 900 Phase II Jail Construction Financing Program Application, as follows:

(Set hearing for 12/6/11. Time estimate 1 hour.)

- a) Receive and file a presentation and report on the status of the Northern Branch Jail and the AB 900 Phase II Jail Construction Financing Program;
- b) Adopt a Resolution authorizing the Sheriff to submit an application under AB 900 Phase II for funding of the Northern Branch Jail, and other provisions related to the application;
- c) Make the appropriate findings with regard to consistency of the AB 900 Phase II application with the 2008 Subsequent Environmental Impact Report; and
- d) Set a hearing on the agenda of December 13, 2011 as needed or requested from the Board related to the application or matters related to the application, Resolution, or the Environmental Impact Report.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: December 6, 2011 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 Lavagnino

Administrative Item

A-26) COUNTY COUNSEL, AUDITOR-CONTROLLER

[11-00875](#)

Adopt a Resolution in the Matter of Withdrawing Authority of the Attorney General to File an Action on Behalf of the County of Santa Barbara Pursuant to Business and Professions Code Section 16750(c), regarding Cathode Ray Tube (CRT) “Price Fixing” Antitrust Litigation.

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

RESOLUTION NO. 11-379

The motion carried by the following vote.

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

Approval of Administrative Agenda

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

Public Comment Period

HEARING TIME: 9:21A.M. - 9:35 A.M. (14 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) (11-00001)

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

Re: Racism in Society - Dr. Robert Johns Addressed the Board.

Re: Job Creation / Economic Development / Clean Water Project - Jeff Lind Addressed the Board

Re: Planning Process in Santa Barbara County / Goleta Valley Issues - Jim Marino Addressed the Board.

Re: Letters of Support for Chumash Annexation of Camp 4 Land - Sam Cohen Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) HUMAN RESOURCES [11-00862](#)

HEARING - Receive and file the Commission for Women Annual Report for Fiscal Year 2010/2011. (EST. TIME: 20 MIN.)

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 9:31 AM - 9:57 AM (26 MIN.)

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

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

2) COUNTY EXECUTIVE OFFICE [11-00859](#)

HEARING - Consider recommendations regarding terms and conditions of employment for unrepresented employees, as follows: (EST. TIME: 5 MIN.)

a) Adopt a Resolution, effective November 14, 2011, amending the Management Personnel Benefits Policy for management, confidential-unrepresented employees, and unrepresented attorneys;

b) Adopt a Resolution, effective November 14, 2011, amending the Classification and Salary Plan for Unrepresented Executive and Management Employees; and

c) Approve the continuance of the wage freeze for management and executive employees, and implement a wage freeze on merit step increases for confidential-unrepresented employees and unrepresented attorneys through June 23, 2013.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 9:58 AM - 10:26 AM (28 MIN.)

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

a) Adopted Resolution (Attachment A) as amended, effective November 14, 2011.

RESOLUTION NO. 11-380

The motion carried by the following vote.

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

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

b) Adopted Resolution (Attachment B) as amended, effective November 14, 2011.

RESOLUTION NO. 11-381

The motion carried by the following vote.

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

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

c) Approved.

The motion carried by the following vote.

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

Noes: 1 - Supervisor Wolf

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

Directed that the reduction from 108 hours to 80 hours of allowed Administrative Leave, as reflected in Section 14 of Attachment A, become effective as of Pay Period 1 of 2012 (December 12, 2011).

The motion carried by the following vote.

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

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

Directed the County Executive Officer to report back to the Board the individual decisions of the Elected Department Heads on a voluntary waiver of certain conditions of employment for their current terms of office

The motion carried by the following vote.

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

3) SUPERVISOR CARBAJAL, SUPERVISOR WOLF

[11-00866](#)

HEARING - Consider recommendations regarding the BEACON Single Use Bag Regional Environmental Impact Report (EIR) Project, as follows: (4/5 Vote Required) (EST. TIME: 30 MIN.)

- a) Receive and file a report from the Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) regarding the impacts of single use bags and the Resolution adopted by BEACON;
- b) Consider supporting BEACON’s effort to conduct a regional Environmental Impact Report on the banning of single use bags; and
- c) Approve Budget Revision Request No. 0001889 contributing up to \$15,000.00 based on a pro-rata share per member agency of the total cost of preparing the Environmental Impact Report.

HEARING TIME: 10:26 AM - 11:25 AM (59 MIN.)

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

- a) Received and filed.**
- b) Approved.**
- c) Approved budget revision request.**

The motion failed by the following vote (4/5 Vote Required).

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

Noes: 2 - Supervisor Gray, and Supervisor Lavagnino

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

- a) Received and filed.
- b) Expressed support for BEACON's effort to conduct a regional Environmental Impact Report on the banning of single use bags.
- c) No action taken.

The motion carried by the following vote.

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

4) SUPERVISOR CARBAJAL 11-00872

HEARING - Consider recommendations regarding the County Poverty Initiative, as follows:
(4/5 Vote Required) (EST. TIME: 40 MIN.)

- a) Receive and file a preliminary report on the status of poverty in Santa Barbara County and direct staff to support a coordinated, countywide, poverty impact assessment;
- b) Allocate \$30,000.00 from General Fund Contingency to authorize the expenditure of \$30,000.00 in additional federal Social Services funds for a total expenditure of \$60,000.00 to hire a consultant to work with County staff and community partners, to complete the community assessment; and
- c) Direct staff to return to the Board in six months with a report that assesses community needs and recommends targeted priorities to support struggling Santa Barbara County individuals, children and families and reduce the effects of poverty in the community.

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

Approve recommendations a) through c).

The motion failed by the following vote (4/5 Vote required):

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

Noes: 2 - Supervisor Gray, and Supervisor Lavagnino

5) COUNTY EXECUTIVE OFFICE [11-00867](#)

HEARING - Receive and file, per the provisions of Government Code Section 29126.2, the Fiscal Year 2011/2012 Financial Status Report as of September 30, 2011, showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 2:15 PM - 2:42 PM (27 MIN.)

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 Lavagnino

6) COUNTY EXECUTIVE OFFICE [11-00868](#)

HEARING - Consider recommendations regarding the Financial Outlook Report, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file the 2011 Financial Outlook Report; and
- b) Receive and file a presentation on the economic context and impending financial challenges faced by the County in Fiscal Year 2012/13 and subsequent years.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 2:43 PM - 4:00 PM (1Hr. 17 MIN.)

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

a) and b) Received and filed.

The motion carried by the following vote.

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

7) PLANNING AND DEVELOPMENT

11-00795

HEARING - Consider recommendations regarding an appeal filed by the Cuyama Valley Conservancy (11APL-00000-00010) of the County Planning Commission's June 8, 2011 approval of a Revision to the Diamond Rock Sand and Gravel Mine and Processing Facility (Case Nos. 11RVP-00000-00032 to 03CUP-00000-00037), located on the west side of Highway 33, approximately 5.9 miles south of its junction with Highway 166 (APNs 149-220-02; 149-220-11; and 149-220-65) in the Cuyama/Ventucopa area, First District, as follows: (EST. TIME: 1 HR.)

- a) Make the required findings for approval of Case No. 11RVP-00000-00032, including the California Environmental Quality Act (CEQA) findings;
- b) Adopt the Addendum to Environmental Impact Report No. 05EIR-00000-00001 pursuant to Section 15164 of the State Guidelines for Implementation of CEQA;
- c) Deny the Appeal, Case No. 11APL-00000-00010, thereby upholding the County Planning Commission's approval of 11RVP-00000-00032; and
- d) Grant de novo approval of Case No. 11RVP-00000-00032 subject to the Conditions of Approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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

December 6, 2011 in Santa Barbara. The motion carried by the following vote.

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

A substitute motion was made as follows:

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

December 13, 2011 in Santa Maria.

The motion carried by the following vote.

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

Board Member Reports

No Board Member Reports

Adjourned at 4:00 PM

The Santa Barbara County Board of Supervisors Adjourned the Meeting of November 15, 2011 in honor of Charles E. Atkins of Orcutt.

Adjourn to

December 6, 2011

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

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, November 15, 2011 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, November 17, 2011, at 5:00 PM and on Saturday, November 19, 2011, at 10:00 AM on CSBTV Channel 20.

THE BOARD OF SUPERVISORS WILL NOT BE MEETING ON TUESDAY, NOVEMBER 22, 2011 OR TUESDAY, NOVEMBER 29, 2011. THE NEXT REGULAR MEETING OF THE BOARD OF SUPERVISORS WILL BE ON TUESDAY, DECEMBER 6, 2011 IN SANTA BARBARA.

<http://www.countyofsb.org>

