

County of Santa Barbara
BOARD OF SUPERVISORS



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

Michael F. Brown, County Executive Officer

Agenda

Tuesday, September 1, 2009

9:00 AM

COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR

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 03-282 (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://bos-agenda.sbcgov.net/calendar/#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.

7:50 A.M. Convene and Recess to Closed Session

9:00 A.M. Reconvene to Regular Session

Roll Call

Pledge of Allegiance

Report from Closed Session

COUNTY COUNSEL

[09-00772](#)

Closed Session Agenda

Approval of Minutes of the August 25, 2009 Meeting

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 9:15 A.M.

A-1) SUPERVISOR WOLF

[09-00762](#)

Adopt a Resolution of Commendation honoring Stephen R. Birch, MD for his 23 years of dedicated service to the County of Santa Barbara Public Health Department.

A-2) SUPERVISOR CENTENO

[09-00760](#)

Adopt a Resolution of Commendation honoring the Emergency Medical Services (EMS)/Public Health Preparedness Team of the Public Health Department as the September 2009 Santa Barbara County Employees of the Month.

Honorary Resolutions

A-3) SUPERVISOR CARBAJAL, SUPERVISOR FARR

[09-00758](#)

Adopt a Resolution of Commendation honoring University of California, Santa Barbara Arts & Lectures upon its 50th Anniversary and for its significant contribution to the cultural vitality of our community.

A-4) SUPERVISOR CENTENO

[09-00759](#)

Adopt a Resolution proclaiming the week of September 6, 2009 through September 13, 2009 as Childhood Cancer Awareness Week in Santa Barbara County.

Administrative Items**A-5) AUDITOR-CONTROLLER [09-00764](#)**

Adopt a Resolution and property tax rates establishing the Fiscal Year 2009-2010 Rates of Tax Levy for the taxing agencies in the County of Santa Barbara.

A-6) COUNTY CLERK-RECORDER-ASSESSOR [09-00761](#)

Appoint the following members to the Cachuma Resource Conservation District Board of Directors, in lieu of election, to serve as if elected, pursuant to Public Resources Code Section 9314:

- a) Timothy G. O'Keefe;
- b) Ernest E. Righetti, II;
- c) Richard Russell; and
- d) LeRoy Scolari.

A-7) COUNTY EXECUTIVE OFFICE [09-00771](#)

Consider amending the 2009 meeting schedule of the Board of Supervisors by cancellation of the regularly scheduled meeting of September 8, 2009.

A-8) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [09-00768](#)

Consider recommendations regarding the Jesusita Fire Hydromulching Project, First and Second Districts, as follows:

- a) Approve and authorize the Purchasing Agent to waive bidding procedures and execute an Agreement with Western States Reclamation Inc. (not a local vendor) in an amount not-to-exceed \$4.6 million for aerial hydromulching services in response to the Jesusita Fire on non-federal land for the period of September 2, 2009 through October 19, 2009; (4/5 Vote Required)
- b) Approve the Budget Revision Request, BJE No. 2008035, to release \$180,000 in designations from the South Coast Flood Zone, to receive \$4,420,000 in unanticipated revenue (\$3,680,000 from the Natural Resource Conservation Service, \$690,000 from State Cal EMA, and \$50,000 from the City of Santa Barbara), and to increase Services and Supplies in the amount of \$4,600,000; (4/5 Vote Required)
- c) Approve and authorize the Chair to execute an Agreement with the City of Santa Barbara for the City's cost sharing on the project in the amount of \$50,000; and
- d) Approve the CEQA Notice of Exemption.

Hearing Requests**A-9) COUNTY EXECUTIVE OFFICE, AGRICULTURAL COMMISSIONER [09-00770](#)**

Set hearing to receive and file a report on efforts during the past year by the County of Santa Barbara to help market and promote awareness of the County's agriculture industries.
(Set hearing for 9/15/09. Time estimate 10 minutes.)

A-10) PLANNING AND DEVELOPMENT [09-00765](#)

Set hearing to consider Case No. 09APL-00000-00019 for the Andy and Jessica Brown Appeal of the County Planning Commission's approval of the Salentine Second Development Envelope Project, Case No. 07RMM-00000-00001, as follows:
(Set hearing for 9/15/09. Time estimate 40 minutes.)

- a) Deny the appeal;
- b) Adopt the required findings for the project, including the CEQA findings;
- c) Approve the Addendum to 87-ND-15, and adopt the mitigation monitoring program contained in the conditions of approval; and
- d) Grant de novo approval of the project, Case No. 07RMM-00000-00001 subject to the conditions included in the June 19, 2009 County Planning Commission Action Letter.

A-11) PLANNING AND DEVELOPMENT [09-00766](#)

Set hearing to consider the request of Susan Petrovich, agent for William Foley, owner, regarding the Crossroads Special Events and Rezone, for the following cases, Third District:
(Set hearing for 9/15/09. Time estimate 1 hour.)

- 1) Case No. 07RZN-00000-00004 for approval of a consistency rezone on AP No. 133-190-014 from Limited Agriculture, 40-acres minimum lot area with oil drilling combining regulations (40-AL-O), under Zoning Ordinance 661, to Agriculture II, 40-acres minimum gross lot area (AG-II-40) under Section 35.104 of the County Land Use & Development Code; and
- 2) Case No. 09CUP-00000-00021 for approval of a Minor Conditional Use Permit under Land Use & Development Code Section 35.42.250, in the AG-II-40 zone district, to allow for a maximum of 20 commercial special events per year and up to five charitable special events per year (with a maximum of two charitable events per calendar month) and a maximum of 250 attendees per event unless the prospective event sponsor obtains a separate Land Use Permit for larger special events from Planning & Development.

Consider recommendations regarding the subject parcel located at 3345 Foxen Canyon Rd., in the Los Olivos area, as follows:

- a) Adopt the required findings for the project, as revised including CEQA findings;
- b) Adopt an Ordinance Zoning Map Amendment for APN 133-190-014, amending the Inland Zoning Map for the Santa Ynez Valley Rural Areas Zone;
- c) Approve the revised Mitigated Negative Declaration No. 08NGD-00000-00013, and adopt the mitigation monitoring program, as revised; and
- d) Approve 07CUP-00000-00026 subject to the conditions of approval specified as revised by the Board of Supervisors.

A-12) PLANNING AND DEVELOPMENT

09-00729

Set hearing to consider the El Encinal Appeal, Case No. 09APL-00000-00009, of the County Planning Commission’s April 8, 2009 decision granting the appeal, Case No. 08APL-00000-00010, and denying the Land Use Permit, Case No. 08LUP-00000-00024, overturning the Planning and Development’s approval of the El Encinal Pole Barn, Case No. 08LUP-00000-00024, identified as APN 099-030-040, located at approximately 1 1/4 miles southwest of the intersection of Highway 135 and Santa Rita Road, in the Los Alamos area, Fourth District, as follows:

(Set hearing for 9/22/09. Time estimate 1 hour and 30 minutes.)

- a) Adopt the required findings for denial of the project specified in the Planning Commission action letter dated April 10, 2009;
- b) Accept the Notice of Exemption pursuant to CEQA Guidelines Section 15270;
- c) Deny the appeal, Case No. 09APL-00000-00009, thereby upholding the Planning Commission’s denial of 08LUP-00000-00024; and
- d) Deny the project, de novo Case No. 08LUP-00000-00024.

Legislative History

8/18/09

BOARD OF
SUPERVISORS

Set for a hearing, as follows:

A-13) PUBLIC WORKS[09-00763](#)

Consider recommendations regarding the County Service Area 3 Streetlighting Benefit Assessment for Fiscal Year 2009-2010, Second and Third Districts, as follows:
(Set hearing for 9/15/2009. Time estimate 5 minutes.)

- a) Adopt a Resolution setting a public hearing for September 15, 2009 in connection with County Service Area 3;
- b) Receive and file a fixed Charge Fee Report for Fiscal Year 2009-2010 with the Clerk of the Board, which reports the proposed benefit assessment (no increases) for County Service Area 3;
- c) Approve a Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines; and
- d) Adopt a Resolution establishing streetlighting charges for County Service Area 3 for Fiscal Year 2009-2010.

A-14) COUNTY EXECUTIVE OFFICE[09-00773](#)

Set hearing to consider recommendations regarding the Green Heron Spring Annexation to the City of Carpinteria, First District, as follows:
(Set hearing for 9/15/09. Time estimate 10 minutes.)

- a) Adopt a Resolution of Negotiated Tax Exchange Agreement between the City of Carpinteria and the County of Santa Barbara that detaches a parcel from the County General Fund; and
- b) Approve a Memorandum of Understanding between the City of Carpinteria and the County of Santa Barbara regarding the transfer of housing credits pertaining to the Green Heron Spring Annexation.

Board of SupervisorsA-15) SUPERVISOR GRAY[09-00774](#)

Approve the appointment of Ann B. Eldridge to the Mental Health Commission as an alternate member, term ending July 1, 2011, Fourth District.

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. 03-282) (09-00001)

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

Departmental Agenda
Planning Items and Public Hearings

Department requests the withdrawal of Departmental Item No. 1) from the Agenda

- 1) COUNTY EXECUTIVE OFFICE 09-00478

HEARING - Consider recommendations regarding an Aviation Unit Management Structure, as follows:

- a) Receive and file reports from the Fire Department and the Sheriff's Department regarding structural recommendations for operation of the Santa Barbara County Aviation Program; and
- b) Direct the departments and staff to implement one of the three following options for management of the aviation program:
 - i) Return to the combined unit operation;
 - ii) Transfer operations to the Fire Department management; or
 - iii) Transfer operations to the Sheriff's department management.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: WITHDRAW FROM AGENDA

Legislative History

5/19/09	BOARD OF SUPERVISORS	Set for a hearing, as follows:
6/16/09	BOARD OF SUPERVISORS	Continued, as follows:
	<i>HEARING TIME: 10:06 AM - 10:07 AM (1 MIN.)</i>	

2) COUNTY EXECUTIVE OFFICE[09-00753](#)

HEARING - Consider recommendations regarding the Board of Supervisors' response to the Grand Jury Report entitled "SBCAG: A Road Not Taken", as follows: (EST. TIME: 30 MIN.)

a) Adopt the responses as the Board of Supervisors' responses to the 2008-09 Grand Jury Report entitled "SBCAG": A Road Not Taken;" and

b) Approve and authorize the Chair to execute the letter forwarding the responses to the Presiding Judge.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

8/25/09

BOARD OF
SUPERVISORS

Set for a hearing, as follows:

3) PLANNING AND DEVELOPMENT[09-00725](#)

HEARING - Consider recommendations regarding the Staal Lot Line Adjustment and Rezone, in the Goleta area, Second District, as follows: (EST. TIME 15 MIN.)

a) Adopt the required findings for Case Nos. 09RZN-00000-00005 and 08LLA-00000-00013, including CEQA findings;

b) Accept the Notice of Exemption pursuant the California Environmental Quality Act Guidelines Section 15305;

c) Adopt an Ordinance effectuating a Zoning Map Amendment for APNs 153-340-031 and 153-340-010 amending the Inland Zoning Map for the Santa Barbara Rural area from 40-AL and 40-E-1 to AG-II-40; and

d) Approve the project, including the following Case Nos.:

i) 09RZN-00000-00005, for a Zoning Map Amendment to rezone Parcel 1 and Parcel 2 from 40-E-1 and 40-AL, respectively, to AG-II-40 (Agriculture II, 40-acre minimum gross lot area); and

ii) 08LLA-00000-00013, for a Lot Line Adjustment, subject to conditions included in the Planning Commission action letter dated July 8, 2009.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

8/18/09

BOARD OF
SUPERVISORS

Set for a hearing, as follows:

4) PLANNING AND DEVELOPMENT

[09-00746](#)

HEARING - Consider recommendations regarding an overview of Offshore Oil and Gas Development, the draft proposed Five-Year Outer Continental Shelf Leasing Program, and Minerals Management Service Rulemaking, as follows: (EST. TIME: 1 HR.)

- a) Receive and file an overview of offshore oil and gas development from the Energy Division;
- b) Approve and authorize the Chair to execute a comment letter, opposing the draft Five-Year Outer Continental Shelf Leasing Program proposed by the United States Department of the Interior; and
- c) Approve and authorize the Chair to execute a comment letter, supporting rulemaking proposed by the Minerals Management Service that seeks to require all offshore operators to implement a Safety and Environmental Management System.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

Legislative History

8/25/09

BOARD OF
SUPERVISORS

Set for a hearing, as follows:

Adjourn to**September 15, 2009****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, September 1, 2009 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, September 3, 2009, at 5:00 PM and on Saturday, September 5, 2009, at 10:00 AM on CSBTV Channel 20.

The Board of Supervisors will not meet on Tuesday September 8, 2009. The next regular meeting of the Board of Supervisors will be on Tuesday, September 15, 2009 in Santa Barbara.

<http://www.countyofsb.org>