

County of Santa Barbara
BOARD OF SUPERVISORS



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

Michael F. Brown, County Executive Officer

Agenda

Tuesday, July 13, 2010

10:00 AM

BETTERAVIA GOVERNMENT CENTER
BOARD HEARING ROOM
511 EAST LAKESIDE PARKWAY, SANTA MARIA

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.

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

10:00 A.M. Reconvene to Regular Session

Roll Call

Pledge of Allegiance

Report from Closed Session

COUNTY COUNSEL

[10-00009](#)

Closed Session Agenda

Legislative History

Approval of Minutes of the July 6, 2010 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.

Honorary Resolutions

A-1) SUPERVISOR WOLF

[10-00648](#)

Adopt a Resolution proclaiming the week of July 18, 2010 through July 24, 2010 as Probation, Parole and Community Supervision Officers' Week in Santa Barbara County.

Administrative Items

A-2) AUDITOR-CONTROLLER

[10-00656](#)

Adopt a Resolution permitting an additional taxing entity (City of Lompoc) to opt into the Alternative Property Tax Distribution Procedures, referred to as the TEETER plan, as permitted by the California Revenue and Taxation Code section 4701 et seq.

A-3) COUNTY CLERK-RECORDER-ASSESSOR

[10-00660](#)

Receive and file the Certification of Results of the Official Canvass and Official Election Summary for the Special Primary Election State Senate District 15 held on June 22, 2010, as required by law or routine business necessity.

A-4) COUNTY CLERK-RECORDER-ASSESSOR [10-00661](#)

Receive and file the Certification of Results of the Official Canvass and Official Election Summary for the Statewide Direct Primary Election held on June 8, 2010, as required by law or routine business necessity.

A-5) COUNTY EXECUTIVE OFFICE [10-00652](#)

Approve and authorize the Chair to execute a Memorandum of Understanding between the County of Santa Barbara and Monterey County for Agricultural Commissioner/Sealer services, for the period of July 1, 2010 through October 1, 2010, for a contract amount not to exceed \$6,000.00.

ADDENDUM**Department requests withdrawal of Item A-6) from the Administrative Agenda****A-6) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS, [10-00667](#)
REDEVELOPMENT AGENCY
Acting as the Board of Directors, Redevelopment Agency:**

Consider recommendations regarding the purchase of property at 761 Camino Pescadero in Isla Vista, Third Supervisorial District, as follows: (4/5 Vote Required)

- a) Approve a Notice of Exemption pursuant to the California Environmental Quality Act (CEQA);
- b) Accept the Planning Commission's report showing that the acquisition of the subject property is consistent with the Comprehensive Plan for the area (The Isla Vista Master Plan), in accordance with California Government Code Section 65402;
- c) Adopt a Resolution of Intent to Purchase (set date of August 3, 2010 for acceptance);
- d) Approve and authorize the Chair to execute the Real Property Purchase Contract and Escrow Instructions between the County Redevelopment Agency as buyer, and Ellen Knill, a married woman, as her sole and separate property, as seller; in the purchase amount of \$2,700,000.00, for the property and building located at 761 Camino Pescadero, in Isla Vista, APN 075-020-005;
- e) Approve the Budget Revision Request of \$2,700,000.00; and
- f) Authorize the Executive Director of the County of Santa Barbara Redevelopment Agency, or designee, to execute any and all necessary documents necessary to complete this real estate transaction.

A-7) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES**[10-00646](#)**

Consider recommendations regarding the adoption of two (2) Resolutions updating the County of Santa Barbara Classification and Salary Plan, as follows:

a) Adopt a Resolution amending Resolution 09-223, as amended being the Salary Resolution of the County of Santa Barbara, updating changes to department position allocations corresponding to the Fiscal Year 2010/2011 Proposed Budget, including changes approved in Fiscal Year 2009/2010 by the County Executive Officer pursuant to Resolution 99-486, effective on July 12, 2010; and

b) Adopt a Resolution exempting the position of Administrative Professional in the Social Services Department from the County of Santa Barbara's Civil Service System, effective on July 12, 2010.

A-8) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES**[10-00669](#)**

Consider recommendations regarding a Self-funded Unemployment Insurance Fund, as follows: (4/5 Vote Required)

a) Adopt a Budget Revision Request which recognizes future liabilities based on an actuarial assessment of the Unemployment Insurance Fund; and

b) Adopt the actuarially recommended three-year funding plan through which these future liabilities are eliminated.

A-9) FIRE**[10-00650](#)**

Authorize the Santa Barbara County Fire Chief to execute a Cooperative Fire Protection Agreement between the Santa Barbara County Fire Department and the USDA Forest Service, Los Padres National Forest.

A-10) GENERAL SERVICES**[10-00645](#)**

Consider recommendations regarding the Clerk-Recorder-Assessor Election Division Consolidation Project Phase II Construction Contract Amendment No. 2, located at 4440 Calle Real in Santa Barbara, Project No. 8685, Second District, as follows:

a) Approve and authorize the Chair to execute Amendment No. 2 to the contract with SBS Corporation (not a local vendor) for Phase II of the Clerk-Recorder-Assessor Election Division Consolidation Project, Project No. 8685, located at 4440 Calle Real in Santa Barbara, in the amount of \$34,076.00, upon return of the Contractor's executed contract documents and the review and approval of the County Counsel, Auditor-Controller and Risk Manager or their authorized representatives, for a total amended contract amount of \$373,237.00; and

b) Re-authorize the Director of General Services or his designee to approve additional changes to the contract of an amount not to exceed 10% of the original contract amount, or

\$20,516.10 for this contract.

A-11) GENERAL SERVICES

10-00644

Consider recommendations regarding a request for financial contribution by the Courthouse Legacy Foundation for the Spirit of the Ocean Fountain at the Santa Barbara Courthouse, First District, as follows: (4/5 Vote Required)

a) Approve the allocation of a \$100,000.00 grant to the Courthouse Legacy Foundation for the purpose of replacing the Spirit of the Ocean fountain at the Santa Barbara Historic Courthouse; and

b) Adopt a Budget Revision to allocate the funds from the Fiscal Year 2010/2011 Capital Designation.

A-12) GENERAL SERVICES

10-00651

Consider recommendations regarding the Santa Barbara Court Complex Seismic Retrofit Project Construction Contract Amendment No. 1, County Project No. 8554, First District, as follows:

a) Approve and authorize the Chair to execute Amendment No. 1 to the Contract with Western Group, Inc. (not a local vendor) for the Santa Barbara Court Complex Seismic Retrofit Project, County Project No. 8554, located at 1100 Anacapa Street in Santa Barbara, in the amount of \$55,500.00, upon return of the Contractor's executed Contract Amendment and the review and approval of the County Counsel, Auditor-Controller and Risk Manager or their authorized representatives, for a total amended contract amount of \$552,500.00, and;

b) Re-authorize the Director of General Services or his designee to approve additional changes to the Contract of an amount not to exceed 10% of the first \$250,000.00 of the original Contract, plus 5% of the remaining contract amount, or \$37,350.00 for this Contract.

A-13) GENERAL SERVICES

10-00658

Consider recommendations regarding the execution of a Real Property Purchase Contract for the Hinton property, located in Los Alamos, involving APNs 101-151-005 and 101-151-006, Third District, as follows: (4/5 Vote Required)

a) Approve the Final Mitigated Negative Declaration and adopt the mitigation program pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the project;

b) Accept the Planning Commission's report showing that the acquisition of the subject property is consistent with the Comprehensive Plan of the County of Santa Barbara pursuant to Government Code 65402;

c) Adopt the Resolution of Intent to Purchase which sets August 3, 2010 as the date that the Board of Supervisors will consummate the purchase by accepting the Grant Deeds; and

d) Approve and authorize the Chair to execute the Real Property Purchase Contract and Escrow Instructions with Terrance L. Hinton and Vera M. Hinton, as Trustees of the Hinton 1989 Trust, and Carl Hinton and Bobbie Hinton, Trustees of the Carl and Bobbie Hinton Revocable Trust, as owners of two contiguous vacant parcels of land located on the North side of Leslie Street, west of Centennial Street, in Los Alamos, and described as Lots 7 and 9 in Block 4 of the town of Los Alamos, California, and known as County APNs 101-151-005 and 101-151-006, in the purchase amount of \$450,000.00

A-14) GENERAL SERVICES

[10-00670](#)

Consider recommendations regarding the 1 East Anapamu Street Lease Amendment, ORES 003321, Second District, as follow: (4/5 Vote Required)

a) Approve and authorize the Chair to execute the Second Amendment to Real Property Lease between the County of Santa Barbara and Levon Investments, LLC, for the County's continued use of an approximately 7,120 square foot portion of the building located at 1 East Anapamu Street in Santa Barbara, which will extend the term of the current lease through June 30, 2012; and

b) Approve the Budget Revision Request which returns \$68,750.00 from the Betteravia Project to the Public Defender project.

A-15) PLANNING AND DEVELOPMENT

[10-00655](#)

Approve and authorize the Chair to execute a Coastal Resource Enhancement Fund (CREF) Contract (BC-11-020) with the Santa Barbara Wildlife Care Network, for the period of July 13, 2010 through December 30, 2010, in the amount of \$191,000.00, to construct Phase II of its Seabird Care Compound at 1460 North Fairview, Second District.

A-16) PROBATION

[10-00647](#)

Authorize the Chief Probation Officer to submit an application for the Probation Specialized Supervision Program Grant from the California Emergency Management Agency (Cal EMA), for the period of October 1, 2010 through September 30, 2011, in the amount of \$100,000.00.

A-17) PUBLIC HEALTH

[10-00657](#)

Approve and authorize the Chair to execute an extension of the term to the Professional Services Agreement with American Medical Response West of Santa Barbara County for Emergency and Non-Emergency Ambulance Service, Advanced Life Support and Pre-Hospital Care, through December 31, 2014.

A-18) PUBLIC WORKS[10-00659](#)

Consider recommendations regarding the Summerland Circulation Improvement Phase 2B, Amendment No. 4 for Professional Design Services Contract, County Project No. 862308, First District; as follows:

a) Approve and authorize the Chair to execute Addendum No. 4 to the existing Professional Design Services Agreement with Willdan Engineering, (not a local vendor), for Summerland Circulation Improvements-Phase 2B, County Project No. 862308. This Contract Amendment provides a 3-year time extension and increases the contract amount from \$172,275.00 to \$227,955.00 (an increase of \$55,680.00); and

b) Authorize the Director of Public Works to approve amendments to the Agreement for supplemental work up to \$22,795.50 (an increase of \$5,568.00).

Board of Supervisors**A-19) SUPERVISOR WOLF**[10-00671](#)

Approve the appointment of Belinda S. Zola to the Santa Barbara County Mental Health Commission as an Alternate, term ending April 1, 2013, Second District.

A-20) SUPERVISOR WOLF[10-00643](#)

Approve the reappointment of Gwendolyn P. Hampton to the Santa Barbara County Commission for Women, term ending April 24, 2013, Second District.

A-21) SUPERVISOR GRAY[10-00649](#)

Approve the 2010-2011 membership of the Santa Barbara County Child Care Planning Council, as shown in the "Certification Statement Regarding Composition of Local Planning Council Membership".

Hearing Requests**A-22) HOUSING AND COMMUNITY DEVELOPMENT**[10-00666](#)

Set hearing to consider recommendations regarding the Levy of Special Tax for Orcutt Community Facilities District, Fourth District, as follows:
(Set hearing for 8/10/10. Time estimate 10 minutes.)

a) Receive and file the Summary of Proposed Fiscal Year 2010/2011 Tax Levy for Orcutt Community Facilities District No. 2002-1; and

b) Adopt a Resolution Levying Special Taxes within the County of Santa Barbara Community Facilities District No. 2002-1.

A-23) PARKS[10-00668](#)

Set hearing to consider recommendations regarding Proposed Fiscal Year 2010/2011 Tax Levy for Providence Landing Community Facilities District No. 2004-1, Third District, as follows:

(Set hearing for 7/27/10. Time estimate 15 minutes.)

a) Receive and file a Summary of Proposed Fiscal Year 2010/2011 Tax Levy for Providence Landing Community Facilities District No. 2004-1; and

b) Adopt a Resolution Levying Special Taxes within County of Santa Barbara Community Facilities District No. 2004-1 (Providence Landing).

A-24) PLANNING AND DEVELOPMENT[10-00202](#)

Set hearing to continue consideration of the NextG appeal, Case No. 10APL-00000-00008, of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB03 permit, Case No. 09LUP-00000-00381, located in the public right of way of Park Lane, adjacent to APN 007-120-013 in Montecito, First District.

(Set hearing for 8/3/10. Time estimate 24 minutes.)

Legislative History

3/2/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: March 16, 2010 in Santa Barbara (EST. TIME: 20 MIN.).

The motion carried by the following vote:

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

3/16/10

BOARD OF SUPERVISORS

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

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

a) through d) No action taken; and

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

Continued the hearing on all seven appeals by Applicant NextG.

The motion carried by the following vote:

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

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

Absent: 1 Supervisor Centeno

A-25) PLANNING AND DEVELOPMENT[10-00205](#)

Set hearing to continue consideration of the NextG appeal, Case No. 10APL-00000-00006, of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB14 permit, Case No. 09LUP-00000-00319, located in the public right of way of Sheffield Drive, adjacent to APN 007-240-012 in Montecito, First District.
(Set hearing for 8/3/10. Time estimate 24 minutes.)

Legislative History

3/2/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: March 16, 2010 in Santa Barbara (EST. TIME: 20 MIN.).

The motion carried by the following vote:

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

3/16/10

BOARD OF SUPERVISORS

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

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

a) through d) No action taken; and

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

Continued the hearing on all seven appeals by Applicant NextG.

The motion carried by the following vote:

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

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

Absent: 1 Supervisor Centeno

A-26) PLANNING AND DEVELOPMENT[10-00206](#)

Set hearing to continue consideration of the NextG appeal, Case No. 10APL-00000-00007, of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB02 permit, Case No. 09CDP-00000-00052, located in the public right of way of Middle Road, adjacent to APN 009-170-005 in Montecito, First District.
(Set hearing for 8/3/10. Time estimate 24 minutes.)

Legislative History

3/2/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: March 16, 2010 (EST. TIME: 20 MIN.).

The motion carried by the following vote:

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

3/16/10

BOARD OF SUPERVISORS

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

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

a) through d) No action taken; and

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

Continued the hearing on all seven appeals by Applicant NextG.

The motion carried by the following vote:

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

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

Absent: 1 Supervisor Centeno

A-27) PLANNING AND DEVELOPMENT[10-00207](#)

Set hearing to continue consideration of the NextG appeal, Case No. 10APL-00000-00004, of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB08 permit, Case No. 09LUP-00000-00317, located in the public right of way of Olive Mill Road, adjacent to APN 009-130-015 in Montecito, First District.
(Set hearing for 8/3/10. Time estimate 24 minutes.)

Legislative History

3/2/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: March 16, 2010 in Santa Barbara (EST. TIME: 20 MIN.).

The motion carried by the following vote:

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

3/16/10

BOARD OF SUPERVISORS

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

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

a) through d) No action taken; and

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

Continued the hearing on all seven appeals by Applicant NextG.

The motion carried by the following vote:

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

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

Absent: 1 Supervisor Centeno

A-28) PLANNING AND DEVELOPMENT[10-00210](#)

Set hearing to continue consideration of the NextG appeal, Case No. 10APL-00000-00002, of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB13 permit, Case No. 09CDP-00000-00056, located in the public right of way of N. Jameson Lane, adjacent to APN 007-350-010 in Montecito, First District.
(Set hearing for 8/3/10. Time estimate 24 minutes.)

Legislative History

3/2/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: March 16, 2010 in Santa Barbara (EST. TIME: 20 MIN.).

The motion carried by the following vote:

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

3/16/10

BOARD OF SUPERVISORS

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

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

a) through d) No action taken; and

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

Continued the hearing on all seven appeals by Applicant NextG.

The motion carried by the following vote:

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

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

Absent: 1 Supervisor Centeno

A-29) PLANNING AND DEVELOPMENT[10-00212](#)

Set hearing to continue consideration of the NextG appeal, Case No. 10APL-00000-00005, of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB06 permit, Case No. 09CDP-00000-00053, located in the public right of way of Olive Mill Road, adjacent to APN 009-230-027 in Montecito, First District.
(Set hearing for 8/3/10. Time estimate 24 minutes.)

Legislative History

3/2/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: March 16, 2010 in Santa Barbara (EST. TIME: 20 MIN.).

The motion carried by the following vote:

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

3/16/10

BOARD OF SUPERVISORS

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

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

a) through d) No action taken; and

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

Continued the hearing on all seven appeals by Applicant NextG.

The motion carried by the following vote:

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

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

Absent: 1 Supervisor Centeno

A-30) PLANNING AND DEVELOPMENT[10-00214](#)

Set hearing to continue consideration of the NextG appeal, Case No. 10APL-00000-00003, of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB09 permit, Case No. 09CDP-00000-00055 located in the public right of way of San Ysidro Road, adjacent to APN 009-262-003 in Montecito, First District.
(Set hearing for 8/3/10. Time estimate 24 minutes.)

Legislative History

3/2/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: March 16, 2010 in Santa Barbara (EST. TIME: 20 MIN.).

The motion carried by the following vote:

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

3/16/10

BOARD OF SUPERVISORS

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

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

a) through d) No action taken; and

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

Continued the hearing on all seven appeals by Applicant NextG.

The motion carried by the following vote:

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

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

Absent: 1 Supervisor Centeno

A-31) PLANNING AND DEVELOPMENT**[10-00662](#)**

Set hearing to consider the NextG appeal, Case No. 10APL-00000-00012, of the Montecito Planning Commission's February 24, 2010 denial of the NextG Cellular Antenna ESB15 permit, Case No. 09LUP-00000-00320, located in the public right of way of School House Road, adjacent to APN 009-080-007 in Montecito, First District.
(Set hearing for 8/3/10. Time estimate 24 minutes.)

A-32) PLANNING AND DEVELOPMENT**[10-00663](#)**

Set hearing to consider the NextG appeal, Case No. 10APL-00000-00009, of the Montecito Planning Commission's February 24, 2010 denial of the NextG Cellular Antenna ESB18 permit, Case No. 09CDH-00000-00030, located in the public right of way of San Leandro Lane, adjacent to APN 007-300-006 in Montecito, First District.
(Set hearing for 8/3/10. Time estimate 24 minutes.)

A-33) PLANNING AND DEVELOPMENT**[10-00664](#)**

Set hearing to consider the NextG appeal, Case No. 10APL-00000-00015, of the Montecito Planning Commission's June 10, 2010 denial of the NextG Cellular Antenna ESBUEK39 permit, Case No. 09CDH-00000-00012, located in the public right of way of N. Jameson Lane, Ortega Hill Road, Sheffield Drive and San Leandro Lane, in the Montecito area, First District.
(Set hearing for 8/3/10. Time estimate 30 minutes.)

A-34) PLANNING AND DEVELOPMENT**[10-00653](#)**

Set hearing to consider recommendations regarding the Sweeney Canyon, LLC Winery Development Plan and Consistency Rezone at the request of Shelly Ingram of MNS Engineers, Inc., agent for Sweeney Canyon, LLC, owner, Fourth District, as follows:
(Set hearing for 8/10/10. Time estimate 30 minutes.)

- a) Make the required findings, including CEQA findings, for the project specified;
- b) Adopt the Negative Declaration, 10NGD-00000-00002, and adopt the mitigation monitoring program contained in the conditions of approval;
- c) Adopt an Ordinance, 09RZN-00000-00004, amending the Inland Zoning Map by rezoning APN 099-150-063 from 40-AG to AG-II-40 to bring the parcel into consistency with the current Santa Barbara County Land Use and Development Code; and
- d) Approve the project, 09DVP-00000-00005, subject to the conditions specified.

A-35) PLANNING AND DEVELOPMENT[10-00654](#)

Set hearing to consider the appeals (Case Nos. 08APL-00000-00040 and 08APL-00000-00041) of the Planning Commission's and CBAR's denial of the Bean Blossom Lot X single-family residence and accessory structures, on property located in the AG-II-100 and AG-II-320 zones. The appeals were filed by Christopher Jacobs on behalf of the owner, Bean Blossom LLC. The application involves APN 081-210-047, located at 14000 Calle Real in the Gaviota Area, Third District.
(Set hearing for 8/3/10. Time estimate 45 minutes.)

A-36) PUBLIC WORKS[10-00665](#)

Set hearing to consider recommendations regarding prohibiting the use of a portion of Harris Grade Road by certain vehicles, Third and Fourth Districts, as follows:
(Set hearing for 8/10/10. Time estimate 30 minutes.)

- a) Consider the introduction (first reading) of an Ordinance adding Section 23-13.11 to Chapter 23 of the Santa Barbara County Code, prohibiting the use of a portion of Harris Grade Road by certain vehicles in the Lompoc area;
- b) Set hearing for September 7, 2010, on the Administrative Agenda to consider the adoption (second reading) of an Ordinance adding Section 23-13.11 to Chapter 23 of the Santa Barbara County Code, prohibiting the use of a portion of Harris Grade Road by certain vehicles in the Lompoc area; and
- c) Approve the filing of a Notice of Exemption pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (c), pertaining to maintenance and operation of existing facilities, for this project.

ADDENDUM**Administrative Items****Item A-37) is added to the Administrative Agenda, as follows:****A-37) COMMUNICATIONS FOR REFERRAL**[10-00672](#)

Santa Barbara Elementary School District - Approve the request of the Santa Barbara Elementary School District to call and give notice of an election to authorize the issuance of school bonds in the amount of \$35,000,000.00, to establish specifications of the election order and to request the consolidation with the Statewide General Election to be held on November 2, 2010.

(APPROVE AND REFER TO THE COUNTY CLERK-RECORDER-ASSESSOR)

Item A-38) is added to the Administrative Agenda, as follows:**A-38) COMMUNICATIONS FOR REFERRAL**[10-00673](#)

Santa Barbara Secondary/High School District - Approve the request of the Santa Barbara Secondary/High School District to call and give notice of an election to authorize the issuance of school bonds in the amount of \$75,000,000.00, to establish specifications of the election order and to request the consolidation with the Statewide General Election to be held on November 2, 2010.

(APPROVE AND REFER TO THE COUNTY CLERK-RECORDER-ASSESSOR)

Item A-39) is added to the Administrative Agenda, as follows:**A-39) HOUSING AND COMMUNITY DEVELOPMENT**[10-00674](#)

Consider recommendations regarding addressing the concerns of the Federal Housing Finance Agency relating to emPowerSBC financing for residential properties, as follows:

- a) Receive an update on federal issues related to Property Assessed Clean Energy programs like emPowerSBC; and
- b) Adopt a Resolution addressing the concerns of the Federal Housing Finance Agency relating to emPowerSBC financing for residential properties.

Approval of Administrative Agenda**Board Member Reports****Public Comment Period**[10-00001](#)**Public Comment**

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (10-00001)

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

Departmental Agenda
Planning Items and Public Hearings

1) **GENERAL SERVICES**

[10-00489](#)

HEARING - Receive and file a staff report regarding the County of Santa Barbara Sustainability Action Plan. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

6/1/10	BOARD OF SUPERVISORS	Set for a hearing, as follows: A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 22, 2010 in Santa Barbara (EST. TIME: 30 MIN.). The motion carried by the following vote:
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Ayes: 5 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

6/22/10	BOARD OF SUPERVISORS	Continued, as follows: A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Continued, as follows: July 13, 2010 in Santa Maria (EST. TIME: 30 MIN.). The motion carried by the following vote:
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HEARING TIME: 11:56 A.M. - 11:57 A.M. (1 MIN.)

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

2) SHERIFF, COUNTY EXECUTIVE OFFICE[10-00543](#)

HEARING - Consider recommendations regarding a Local Crime & Gang Reduction, Fire Protection and Jail Construction/Operation ½ Percent Transactions (Sales) and Use Tax Ballot Measure, as follows: (4/5 Vote Required) (EST. TIME: 15 MIN.)

- a) Consider the adoption (second reading) of an Ordinance Imposing a County of Santa Barbara ½ Percent Transactions (Sales) and Use Tax for Local Crime & Gang Reduction, Fire Protection and Jail Construction/Operation to be administered by the State Board of Equalization;
- b) Adopt a Resolution Calling and Providing For an Election to be Held on November 2, 2010 to Submit to the Qualified Electors of the County of Santa Barbara a Measure on Whether to Approve an Ordinance Imposing a County of Santa Barbara ½ Percent Transactions (Sales) and Use Tax for Local Crime & Gang Reduction, Fire Protection and Jail Construction/Operation, and Requesting and Ordering That the Election Be Consolidated with the November 2, 2010 Election;
- c) Direct the Auditor-Controller to review the Ordinance/Measure and determine whether the substance thereof, if adopted, would affect the revenues or expenditures of the County, and to prepare a fiscal impact statement pursuant to Elections Code Section 9160(c); and
- d) Set hearing for July 27, 2010 to consider, adopt and authorize filing of an Argument in Favor of the Ordinance Imposing a County of Santa Barbara ½ Percent Transactions (Sales) and Use Tax for Local Crime & Gang Reduction, Fire Protection and Jail Construction/Operation.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

6/15/10 BOARD OF SUPERVISORS Set for a hearing, as follows:

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: June 22, 2010 in Santa Barbara (EST. TIME: 1 HR.). The motion carried by the following vote:

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

6/22/10 BOARD OF SUPERVISORS Acted on and continued, as follows:

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

Received and filed staff presentation and conducted public hearing.

a) through c) Continued to July 6, 2010 in Santa Barbara (EST. TIME: 90 MIN.).

Directed staff to return with amended recommendations reflecting the Board's discussion at the hearing.

d) i) through iii) Set hearing on the Administrative Agenda for July 13, 2010 in Santa Maria.

e) Continued to July 13, 2010.

The motion carried by the following vote:

HEARING TIME: 1:58 P.M. - 4:43 P.M. (2 HRS. 45 MIN.)

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

7/6/10 BOARD OF SUPERVISORS Acted on and set for a hearing, as follows:

A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Acted on and set for a hearing, as follows:

a) i) Read title, waived reading of the Ordinance in its entirety. Introduction (first reading) approved as amended:

Change the Ordinance name to:

County of Santa Barbara 1/2 Percent Transactions (Sales) and Use Tax Ordinance for Local Crime and Gang Reduction, Fire Protection and Jail Construction/Operation;

Within the Ordinance, change one Advisory Committee name at Section 17 to:

"Independent Citizens Crime Reduction and Fire Protection Oversight Committee";

Change the Draft Resolution to reflect the proposed change to the name of the Ordinance; and

Change Board Agenda Letter recommendations a i), a ii), b i), b ii) and b iv) to reflect the proposed change to the name of the Ordinance.

Second reading (adoption) set for July 13, 2010 in Santa Maria on Departmental Agenda.

a) ii) and iii) Continued to July 13, 2010 in Santa Maria on Departmental Agenda.

b) i), ii) and iii) Set for July 13, 2010 in Santa Maria on Departmental Agenda.

b) iv) Set for July 27, 2010 in Santa Maria on Departmental Agenda.

The motion carried by the following vote:

HEARING TIME: 10:05 A.M. - 11:26 A.M. (81 MIN.)

Ayes: 4 Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Absent: 1 Supervisor Carbajal

3) COUNTY EXECUTIVE OFFICE[10-00627](#)

HEARING - Consider recommendations regarding the Board of Supervisors' responses to the 2009-2010 Grand Jury Report, entitled "Currents and Undercurrents in Santa Ynez Valley", as follows: (EST. TIME: 15 MIN.)

a) Adopt the recommended responses as the Board of Supervisors' responses to the 2009-2010 Grand Jury Report, entitled "Currents and Undercurrents in Santa Ynez Valley"; and

b) Approve and authorize the Chair to execute a letter forwarding the responses to the Presiding Judge of the Santa Barbara County Superior Court.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

7/6/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: July 13, 2010 in Santa Maria (EST. TIME: 15 MIN.). The motion carried by the following vote:

Ayes: 4 Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Absent: 1 Supervisor Carbajal

4) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[10-00640](#)

HEARING - Receive and file the 2008-2009 County of Santa Barbara Equal Employment Opportunity Office Workforce Report. (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

7/6/10

BOARD OF SUPERVISORS

Continued, as follows:

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Continued, as follows: July 13, 2010 on the Departmental Agenda in Santa Maria (EST. TIME: 15 MIN.). The motion carried by the following vote:

Ayes: 4 Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Absent: 1 Supervisor Carbajal

5) PUBLIC HEALTH[10-00613](#)

HEARING - Consider recommendation regarding a North County medical supplies and equipment cache, as follows: (EST. TIME: 15 MIN.)

- a) Receive and file a presentation on the establishment of a medical supplies cache in North Santa Barbara County; and
- b) Accept a donation of medical supplies and equipment from Doctors Without Walls - Santa Barbara Street Medicine and the Medical Reserve Corps, for use in a public health disaster or medical emergency in North County.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

7/6/10

BOARD OF SUPERVISORS

Acted on as follows:

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Acted on as follows: July 13, 2010 in Santa Maria (EST. TIME: 15 MIN.). The motion carried by the following vote:

Ayes: 4 Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Absent: 1 Supervisor Carbajal

6) GENERAL SERVICES[10-00625](#)

HEARING - Consider recommendations regarding the Santa Barbara Public Defender Remodel Project No. 8661 Award of Construction Contract, First District, as follows: (EST. TIME: 20 MIN.)

- a) Reject the bid submitted by Pavilion Construction as non-responsive, based on the following findings to be made by your Board:
 - i) Pavilion Construction failed to list a millwork subcontractor with not less than 10 years local experience in historical commercial work of the complexity of this project, as required by the bid documents;
 - ii) Pavilion Construction failed to furnish references for their listed millwork subcontractor showing not less than 10 such projects, as required by the bid documents;
 - iii) Pavilion Construction's listed millwork subcontractor cannot fulfill the bid document specification requirement that applicable architectural woodwork items be fabricated and installed by one fabricator, as they do not fabricate custom doors;

- iv) Pavilion Construction's bid therefore contains a material deviation from the bid requirements which renders the bid non-responsive;
- v) This material deviation gave Pavilion Construction an unfair competitive advantage over bidders who complied with the same bid requirement; and
- vi) To the extent that the deviations from bid requirements may be considered immaterial, the Board elects to exercise its discretion by declining to waive any irregularities in Pavilion Construction's bid;
- b) Approve and authorize the Chair to execute a Fixed Price Construction Contract in the amount of \$3,099,500.00 to the lowest responsible bidder, Melchiori Construction Company Inc., (a local vendor) subject to the provisions of the documents and certifications as set forth in the plans and specifications applicable to the project and as required by California Law;
- c) Authorize the Director of General Services or his designee to approve change orders up to the limit specified in Public Contract Code Section 20142, or \$150,000.00 for this Contract; and
- d) Approve and authorize the Chair to execute the Construction Contract upon return of the Contractor's executed contract documents, and the review and approval of the County Counsel, Auditor-Controller and Risk Manager or their authorized representatives.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

7/6/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: July 13, 2010 in Santa Maria (EST. TIME: 20 MIN.). The motion carried by the following vote:

Ayes: 4 Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Absent: 1 Supervisor Carbajal

7) PLANNING AND DEVELOPMENT[10-00252](#)

HEARING - Consider recommendations regarding Coastal Commission suggested modifications to County and Montecito Land Use and Development Codes, as follows: (EST. TIME: 30 MIN.) (PUBLIC HEARING CLOSED)

a) Provide direction to the Planning and Development Department regarding how the Board of Supervisors would like to proceed in presenting its comments regarding the recommended modifications to the Coastal Commission for their consideration at the August 2010 hearing.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

3/16/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

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

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

4/6/10

BOARD OF SUPERVISORS

Acted on and continued, as follows:

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

Directed staff to request a continuance of the Coastal Commission consideration of this matter from the April 2010 meeting to the scheduled Coastal Commission meeting in August, 2010 in San Luis Obispo. Further directed staff to return on July 6, 2010 with recommendations as appropriate.

The motion carried by the following vote:

HEARING TIME: 2:25 P.M. - 2:40 P.M. (15 MIN.)

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

Adjourn to**July 27, 2010****Betteravia Government Center****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, July 13, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, July 15, 2010, at 5:00 PM and on Saturday, July 17, 2010, at 10:00 AM on CSBTV Channel 20.

THE BOARD OF SUPERVISORS WILL NOT BE MEETING ON JULY 20, 2010 DUE TO THE NATIONAL ASSOCIATION OF COUNTIES CONFERENCE.

<http://www.countyofsb.org>