

BOARD OF SUPERVISORS

County of Santa Barbara



First District - Salud Carbajal, Vice Chair

Second District - Janet Wolf

Third District - Brooks Firestone, Chair

Fourth District - Joni Gray

Fifth District - Joseph Centeno

AGENDA

Tuesday, June 19, 2007

**COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 EAST ANAPAMU STREET, SANTA BARBARA**

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, Redevelopment Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: www.countyofsb.org

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

Board Meeting Procedures

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

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

(Posted addendum available Friday)

9:00 A.M. Reconvene to Regular Session**Roll Call****Pledge of Allegiance****Report from Closed Session**COUNTY COUNSEL[File Reference No. 07-00656](#)**Approval of Minutes of the June 5, 2007 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 11:45 A.M.A-1) SUPERVISOR CARBAJAL[File Reference No. 07-00605](#)

Adopt a Resolution honoring the 60th Anniversary of the Music Academy of the West.

Honorary ResolutionsA-2) SUPERVISOR CENTENO[File Reference No. 07-00592](#)

Adopt a Resolution of Commendation honoring James F. Morrissey upon his retirement from the Probation Department after 20 years of dedicated service to the citizens of Santa Barbara County.

Administrative ItemsA-3) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES[File Reference No. 07-00613](#)

Consider recommendations regarding the Mental Health Services Act Contract FY 06-08, as follows:

- a) Approve and authorize the Chair to execute a contract with Mental Health Systems (not a local vendor) to provide services to children and youth who are seriously emotionally disturbed, for the period of June 1, 2007 to June 30, 2008 in the amount of \$1,125,425; and
- b) Authorize the Director of ADMHS to approve amendments to the proposed contract, provided that any such amendments do not exceed ten percent (10%) of the contract's dollar amount.

A-4) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES[File Reference No. 07-00628](#)

Adopt a Resolution for Special Duty Allowance, effective June 18, 2007 for the Alcohol, Drug and Mental Health Services, as follows:

- a) Authorize Special Duty Allowance of 5% for one FTE employee in the classification of ADMHS

Program Manager I/II effective June 18, 2007.

b) Authorize Special Duty Allowance of 10% for one FTE employee in the classification of ADMHS Division Manager effective June 18, 2007.

A-5) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 07-00595](#)

Approve and authorize the Chair to execute an agreement for revegetation and maintenance services with Envirosapping, Inc., (a local vendor), for the period of July 1, 2007 through June 30, 2008 in an amount not to exceed \$250,000.

A-6) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 07-00596](#)

Approve and authorize the Chair to execute a Cooperative Agreement with the California Department of Transportation (Caltrans) for the Las Vegas/San Pedro Creeks Improvement Project to define roles and responsibilities for the environmental review process for the project, Third District.

A-7) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 07-00599](#)

Approve and authorize the Chair to execute the Tolling and Waiver Agreement to set aside certain ongoing disagreements between the State Department of Water Resources and the various State Water Contractors about past charges for recreational facilities while a financial settlement is developed.

A-8) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 07-00629](#)

Consider recommendations regarding agreements to provide specialized crane and trucking services, as follows:

a) Authorize the Chair to execute agreements for specialized crane services for the period of July 1, 2007 through June 30, 2009, in an amount not to exceed \$300,000 with each of the following contractors:

- i) T & T Trucking and Crane Service (not a local vendor);
- ii) Specialty Crane & Rigging (a local vendor);
- iii) OST Crane Service Inc. (not a local vendor); and

b) Authorize the Chair to execute agreements for trucking services for the period of July 1, 2007 through June 30, 2009, in an amount not to exceed \$300,000 with each of the following contractors:

- i) T&T Trucking and Crane Service (not a local vendor);
- ii) Speed's Oil Tool Service, Inc. (a local vendor);
- iii) Central Coast Transfer Inc. (not a local vendor).

- A-9) BOARD OF DIRECTORS, WATER AGENCY [File Reference No. 07-00598](#)
Approve and authorize the Chair to execute Amendment No. 2 to the Agreement with CH2MHILL, a local vendor, to develop an Integrated Regional Water Management Plan (IRWMP) for the Santa Barbara County Region increasing the amount of the agreement \$50,010, from \$248,964.50 to \$298,974.50 and to extend the term from June 30, 2007 to October 31, 2007.
- A-10) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 07-00622](#)
Authorize the County Clerk-Recorder-Assessor to expand the confidentiality of voter registration information to specified public safety officials pursuant to statute.
- A-11) COUNTY COUNSEL [File Reference No. 07-00626](#)
Approve and authorize the Chair to execute the agreement with Diana Campbell to provide legal services as a contractor on payroll from July 1, 2007 through June 30, 2008 in an amount not to exceed \$26,790.00.
- A-12) COUNTY EXECUTIVE OFFICE [File Reference No. 07-00615](#)
Consider recommendations regarding a Memorandum of Understanding for court collections of criminal and traffic fines, penalties, fees, forfeitures and trust money, as follows:

a) Approve the attached Memorandum of Understanding between the Superior Court and the County of Santa Barbara regarding the collection and distribution of criminal and traffic fines, penalties, fees and forfeitures effective July 1, 2007; and

b) Authorize the County Executive Officer to execute the document on behalf of the County of Santa Barbara.
- A-13) COUNTY EXECUTIVE OFFICE [File Reference No. 07-00638](#)
Approve Budget Revision Requests (SEE EXHIBIT A WITH POSTED AGENDA). (4/5 Vote Required).
- A-14) DISTRICT ATTORNEY [File Reference No. 07-00619](#)
Adopt a Resolution authorizing the District Attorney to renew the agreement with the California Department of Insurance for a Workers' Compensation Insurance Fraud Prosecution Unit for Fiscal Year 2007-08.
- A-15) DISTRICT ATTORNEY [File Reference No. 07-00621](#)
Adopt a Resolution authorizing the District Attorney's Office to execute its agreement with the State Department of Justice for the Domestic Violence Prosecution Grant program in the amount of \$71,456 with a 20% Santa Barbara County General Fund match of \$14,291 for FY 2007-08.

- A-16) GENERAL SERVICES [File Reference No. 07-00594](#)
Authorize the Chair to execute the Isla Vista Foot Patrol Ground Lease between the County of Santa Barbara and the Regents of the University of California, for the County's use of a portion of University-owned property located at 960 Embarcadero Del Norte, in Isla Vista, also known as Assessor Parcel Numbers 075-172-012, 013, and 015, for a period of forty years, for the purpose of constructing and operating a new Isla Vista Foot Patrol Substation; at an annual rental amount of \$30,000, which shall be waived for so long as the property is used for the afore-mentioned purposes, Third District.
- A-17) GENERAL SERVICES [File Reference No. 07-00600](#)
Approve and authorize the Chair to execute Amendment One to the Professional Services Agreement with RRM Design Group of San Luis Obispo, CA, (not a local vendor), for the period of September 13, 2005 through September 15, 2009, in the amount of \$26,990, and extending the contract to September for additional A/E design services associated with the Burton Mesa Public Safety Center, Project 8657, which brings the total fee to \$363,490 plus \$12,500 for reimbursable expenses.
- A-18) GENERAL SERVICES [File Reference No. 07-00610](#)
Consider recommendations regarding the Agricultural Commissioners Office Addition, Project #8654, in the Santa Maria area, Fifth District, as follows:
- a) Award a Fixed Price Construction Contract in the amount of \$498,773 to the lowest responsible bidder, EJS Construction 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; and
 - b). Authorize the Director of General Services to approve change orders of an amount not to exceed 10% of a base amount of \$250,000 plus 5% of the bid in excess of the base amount, or \$37,439.00 for this contract.
- A-19) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 07-00597](#)
Consider recommendations regarding the Affordable Housing Fee Deferral Loan Program, as follows:
(4/5 Vote Required)
- a) Discontinue the Affordable Housing Fee Deferral Loan Program and return unused funds of \$71,447 to the General Fund in accordance with Program terms; and
 - b) Approve the attached Budget revision 2006763 reallocating the balance of \$71,447.
- A-20) COUNTY EXECUTIVE OFFICE [File Reference No. 07-00639](#)
Authorize the Chair to execute a contract in the amount of \$240,000 with Ms. Sally Nagy for Chief Information Officer (CIO) Services for a period of July 9, 2007 to June 30, 2008.
- A-21) PARKS [File Reference No. 07-00606](#)
Approve Amendment No. 1 to the Professional Services Agreement for the Preparation of the Goleta Beach Long Term Protection Plan Environmental Impact Report with Chambers Group, Inc., extending the end of the term of the agreement from June 1, 2007 through December 31, 2007, Third District.

A-22) PARKS[File Reference No. 07-00618](#)

Authorize the Chair to execute an Agreement for Design Services for Lake Cachuma Park Water Treatment Plant, Water Storage, and Distribution Improvements with Flowers and Associates Inc. (a local vendor), in the amount of \$566,822.00, Third District.

A-23) PLANNING AND DEVELOPMENT[File Reference No. 07-00145](#)

Consider the findings for approval of the Halsell Single Family Residence Addition, Case No. 06LUP-00000-00585 at 4620 Song Lane, Orcutt, APN: 105-010-079, Fourth District, as follows:

- a) Adopt the Findings;
- b) Approve Case No. 06LUP-00001-00585.

Legislative History

2/13/07 BOARD OF SUPERVISORS

Set for a hearing, as follows:
February 27, 2007 in Santa Maria (EST. TIME: 90 MIN.)

2/27/07 BOARD OF SUPERVISORS

Acted on as follows:
Received and filed staff report and conducted public hearing.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf as follows:

To accept into evidence a petition from appellant.
The motion carried unanimously.

A motion was made by Supervisor Carbajal, seconded by Supervisor Firestone as follows:

a) No action taken.

b) Conceptually upheld the appeal overturning the Planning Commission's December 13, 2006 approval of 06LUP-00000-00585 and directed staff to return to the Board on March 13, 2007 with findings as appropriate.

c) No action taken.

The motion carried by the following vote:

Ayes: 3 - Supervisor Carbajal, Supervisor Wolf, Supervisor Gray
Noes: 2 - Supervisor Firestone, Supervisor Centeno

3/13/07 BOARD OF SUPERVISORS

Continued, as follows:
April 10, 2007 in Santa Maria (EST. TIME: 45 MIN.)

4/3/07 BOARD OF SUPERVISORS

Continued, as follows:
April 24, 2007 in Santa Maria.

4/24/07 BOARD OF SUPERVISORS

Acted on as follows:

Conducted public hearing.

The Board took the following action:

1. Adopted findings set forth in Attachment A of staff report as supplemented at the hearing.
2. Conceptually upheld the Brady appeal (06APL-00000-00052), and thereby overturned the Director of Planning and Development and the Planning Commission decisions to approve a 7,926 square feet structure, 06LUP-00000-00585;
3. Conceptually approved the application for Case No. 06LUP-00000-00585, allowing only up to an additional 1,000 square feet to the existing structure subject to BAR review and recommendation as to compatibility with the neighborhood;
4. Final proposed project to return to Board on consent agenda for final approval;
5. Applicant shall have 30 days to notify the Director of whether applicant elects to pursue BAR review for additional 1,000 square feet.

A-24) PLANNING AND DEVELOPMENT

[File Reference No. 07-00632](#)

Consider the request of the Mr. and Mrs. Frank Kozak, Case No. 07AGP-00000-00001 for approval of an agricultural preserve replacement contract, Fifth District, as follows:

Approve and authorize the Chair to execute the new contract 07AGP-00000-00001, replacing a portion of the original Agricultural Preserve 76-AP-062. The replacement contract involves Assessor's Parcel No. 147-150-016, located east of Aliso Canyon Road in the Cuyama area.

A-25) PLANNING AND DEVELOPMENT

[File Reference No. 07-00633](#)

Consider the request of Michael Schoff of Oak Investors, regarding MJ Ranch, Case No. 05AGP-00000-00026 for approval of an agricultural preserve replacement contract, Third District, as follows:

Approve and authorize the Chair to execute the new contract 05AGP-00000-00026, replacing a portion of the original Agricultural Preserve 75-AP-034. The replacement contract involves Assessor's Parcel No. 135-010-025, located approximately 3,200 feet south of the Highway 101/154 interchange, known as 3071 Via de los Rancheros in the Los Olivos area.

A-26) PLANNING AND DEVELOPMENT

[File Reference No. 07-00634](#)

Consider the request of Michael Schoff of Oak Investors, regarding MJ Ranch, Case No. 05AGP-00000-00027 for approval of an agricultural preserve replacement contract, Third District, as follows:

Approve and authorize the Chair to execute the new contract 05AGP-00000-00027, replacing a portion of the original Agricultural Preserve 75-AP-034. The replacement contract involves Assessor's Parcel No. 135-010-026, located approximately 3,200 feet south of the Highway 101/154 interchange, known as 3071 Via de los Rancheros in the Los Olivos area.

A-27) PLANNING AND DEVELOPMENT [File Reference No. 07-00635](#)

Consider the request of Michael Schoff of Oak Investors, regarding MJ Ranch, Case No. 05AGP-00000-00025 for approval of an agricultural preserve replacement contract, Third District, as follows:

Approve and authorize the Chair to execute the new contract 05AGP-00000-00025, replacing a portion of the original Agricultural Preserve 75-AP-034. The replacement contract involves Assessor's Parcel No. 135-010-024, located approximately 3,200 feet south of the Highway 101/154 interchange, known as 3071 Via de los Rancheros in the Los Olivos area.

A-28) PUBLIC HEALTH [File Reference No. 07-00611](#)

Consider recommendations the ongoing grants for the Public Health Department 2007-08, as follows:

- a) Authorize the Public Health Director to execute the 40 ongoing grants for the Public Health Department approved by the Board with the FY 2007-08 budget; and
- b) Authorize the Public Health Director to execute any amendments to the grants that are within 10% of the amount approved with the budget.

A-29) PUBLIC HEALTH [File Reference No. 07-00612](#)

Authorize the Purchasing Manager to issue a purchase order for Biscom, Inc., for 2 FAXCOM, fax servers in the amount of \$38,224.53 without a competitive bid. Biscom, Inc. (not a local vendor) is the only authorized seller of this product.

A-30) PUBLIC HEALTH [File Reference No. 07-00616](#)

Authorize the Public Health Department Director to execute dual provider agreements for breast feeding services between the Public Health Department and non-county Comprehensive Perinatal Services Program (CPSP) providers using the contract template approved as to form by County Counsel, Risk Management and the Public Health Department.

A-31) PUBLIC HEALTH [File Reference No. 07-00617](#)

Authorize the Public Health Director to execute an agreement with the National Association of County and City Health Officials (NACCHO) for a one time capacity building grant to support the Santa Barbara County Medical Reserve Corps (MRC) in the amount of \$10,000.

A-32) PUBLIC HEALTH [File Reference No. 07-00631](#)

Consider recommendations regarding the Children's Medical Services Plan for FY 2007-08, 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 for the period of July 1, 2007 through June 30, 2008, in the amount of \$3,612,362 which includes the following programs:

i) Child Health and Disability Prevention Program	\$646,881
ii) California Children's Services Administration	2,965,481
Total	\$3,612,362

b) Authorize the Public Health Department Director to approve amendments to the Plan provided that any such amendments do not exceed ten percent (10%) of the Children's Medical Serviced Plan dollar amount.

A-33) PUBLIC WORKS [File Reference No. 07-00603](#)

Authorize the County Purchasing Agent to procure equipment funded by a grant from the Federal Emergency Management Agency (FEMA) without being required to conduct a Formal Bid Process.

A-34) PUBLIC WORKS [File Reference No. 07-00607](#)

Approve and execute a resolution authorizing and directing the Director of Public Works to negotiate and execute the Agreements and Program Supplements to the Master Agreement Administering Agency-State Agreement for Federal-Aid Projects, No. 05-5951R, with the State of California Department of Transportation, All Districts.

A-35) PUBLIC WORKS [File Reference No. 07-00625](#)

Consider recommendations regarding the construction of 05/06 TEA-21 Representative Lois Capps Demonstration Project Surface Treatment, County Project No. 862260, Second District, as follows:

a) Accept the Notice of Completion for the work performed by the Contractor, Granite Construction Company, Inc. (a local vendor); and

b) Review and approve the Statement of Final Quantities for work performed and materials supplied for this project by the Contractor in the amount of \$473,389.89.

A-36) PUBLIC WORKS [File Reference No. 07-00627](#)

Review and approve the Statement of Final Quantities for work performed and materials supplied to the Construction of 2006/2007 Measure D, General Fund and Prop 42 Miscellaneous Concrete Repair by the Contractor, Mendez Concrete, Inc., (not a local vendor), 1210 Santa Paula Street, Santa Paula, California 93060, in the amount of \$280,421.83, Second, Third and Fourth Districts.

A-37) PUBLIC WORKS [File Reference No. 07-00630](#)

Consider recommendations for the Santa Barbara Countywide Integrated Regional Water Management Plan, as follows:

a) File the CEQA Notice of Exemption for the Santa Barbara Countywide Integrated Regional Water Management Plan, (POST); and

b) Adopt a Resolution approving the Santa Barbara Countywide Integrated Regional Water Management Plan allowing the County to seek Prop 50 funding.

A-38) PUBLIC WORKS [File Reference No. 07-00636](#)

Consider recommendations regarding the State of California, 2006/2007 Exchange and State Match Program, Execute Agreement for the Exchange of Federal Highway Dollars, All Districts, as follows:

a) Authorize the Chair to execute the agreement with State of California, Department of Transportation for the exchange of Federal Highway dollars for Non-Federal State Highway Account dollars, for Fiscal Year 2006/07 apportionments, in the amount of \$558,115; and

b) Authorize Staff to disperse these Regional Surface Transportation Program (RSTP) funds to the City of Buellton, the City of Guadalupe and the City of Solvang, in the amounts identified for FY 2006/2007 in the Federal Transportation Improvement Program (FTIP).

A-39) SHERIFF [File Reference No. 07-00601](#)

Consider recommendations regarding the Isla Vista Foot Patrol, Project No. 2388, Third District, as follows:

a) Approve Amendment No. 1 to the Professional Services Contract with Lenvik & Minor Architects in the amount of \$6,579.92 for additional services associated with the design development process;

b) Approve plans and specifications for the Isla Vista Foot Patrol building project; and

c) Authorize the Sheriff's Department to advertise for construction bids for the Isla Vista Foot Patrol project.

A-40) SHERIFF [File Reference No. 07-00602](#)

Authorize the Chair to execute an Agreement of Cooperation between the State of California Department of Corrections and Rehabilitation and the County of Santa Barbara for a Secure Re-entry Facility to reduce crime and combat the effects of recidivism by allocating state resources to ensure comprehensive parolee re-entry supervision and continuing services for parolees returning to Santa Barbara County.

A-41) TREASURER-TAX COLLECTOR [File Reference No. 07-00623](#)

Consider recommendation regarding the Los Olivos School District General Obligation Bonds (Election 2006), Third District as follows:

Adopt a Resolution authorizing the Los Olivos School District to Issue and Sell Bonds Directly, in accordance with Education Code Section 15140 in an amount not to exceed \$2,600,000.

Hearing Requests

A-42) COUNTY EXECUTIVE OFFICE [File Reference No. 07-00614](#)

Set a hearing to receive a report from Governmental Advocates, Inc., on State legislation of interest to the County.

A-43) DISTRICT ATTORNEY [File Reference No. 07-00609](#)

Set a hearing to consider the adoption of a \$2.00 Recording Fee, as authorized by statute, to finance creation of a Real Estate Fraud Prosecution Unit in the District Attorney's Office.
(Set Hearing for 7/10/2007. Time estimate 20 minutes.)

A-44) PLANNING AND DEVELOPMENT [File Reference No. 07-00608](#)

Set a hearing to consider the Bosshardt appeal of the Planning Commission's March 14, 2007 denial of the Bosshardt Single Family Dwelling Land Use Permit No. 06LUP-00000-00245, APN 143-400-017, located at 3457 Willow Street, in the Santa Ynez area, Third District.
(Set Hearing for 7/10/2007. Time estimate 40 minutes.)

A-45) PLANNING AND DEVELOPMENT[File Reference No. 07-00624](#)

Set a hearing to consider recommendations regarding the Siemens Appeal (Case No. 07APL-00000-00010) (filed by the applicant) and the Spear Appeal (Case No. 07APL-00000-00011) (filed by a third party) of the Montecito Planning Commission's March 21, 2007 approval of the Fraser/Siemens Lot Split Plat Modification (Case No. 05RMM-00000-00003) and Lot Line Adjustment (Case No. 04LLA-00000-00010), located at 799 and 805 Park Lane West (APN 007-050-015 and 007-050-025) in the Montecito area, First District, as follows:

- a) Deny the appeal by Wayne Siemens (Case No. 07APL-00000-00010) and the appeal by Reginald Spear (Case No. 07APL-00000-00011) and uphold the Montecito Planning Commission's March 21, 2007, approval of the Fraser/Siemens Lot Split Plat Modification and Lot Line Adjustment;
- b) Adopt the required findings, including CEQA findings, as specified in the Montecito Planning Commission Action Letter dated March 23, 2007, included as Attachment A to this Board Agenda Letter;
- c) Approve the Negative Declaration (06NGD-00000-00015) (Attachment B of the Staff Report to the Montecito Planning Commission, included as Attachment B to this Board Agenda Letter) and adopt the mitigation monitoring program contained in the conditions of approval;
- d) Approve de novo the Lot Split Plat Modification (Case No. 05RMM-00000-00003) and the Lot Line Adjustment (Case No. 04LLA-00000-00010) subject to the conditions of approval set forth in Attachment C of the Montecito Planning Commission Action Letter dated March 23, 2007; and
- e) Adopt de novo the point allocation of 55 points under the Montecito Growth Management Ordinance as set forth in Attachment F of the Staff Report to the Montecito Planning Commission for March 21, 2007.
(Set Hearing for 7/17/2007. Time estimate 120 minutes.)

A-46) PLANNING AND DEVELOPMENT[File Reference No. 07-00637](#)

Set hearing to accept the Urban Oak Tree Interpretive Guidelines as recommended by the County Planning Commission and the Montecito Planning Commission.
(Set Hearing for 7/3/2007. Time estimate 30 min minutes.)

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) (07-00001)

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 to continue Departmental Item No. 1) to September 18, 2007.

1) PLANNING AND DEVELOPMENT

[File Reference No. 07-00051](#)

HEARING - Consider an appeal filed by the applicant (Case No. 06APL-00000-00041) of the County Zoning Administrator's October 23, 2006 denial of the request for a Variance to the Bella Vista Floor Area Ratio maximum for a residential dwelling (Case No. 05VAR-00000-00005) in the Summerland area, First District, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Deny the appeal, thereby upholding the Zoning Administrator's decision;
- b) Adopt the required findings for the project, including CEQA findings; and
- c) Deny the Variance request.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY
(Set Hearing for 6/19/2007. Time estimate 30 minutes.)

Legislative History

1/16/07	BOARD OF SUPERVISORS	Set for a hearing, as follows: February 20, 2007 in Santa Barbara (EST. TIME: 90 MIN.)
2/20/07	BOARD OF SUPERVISORS	Continued, as follows: May 15, 2007 in Santa Barbara.
5/15/07	BOARD OF SUPERVISORS	Continued, as follows: June 19, 2007 in Santa Barbara (1 HR. 30 MIN.)

2) SUPERVISOR CARBAJAL

[File Reference No. 07-00573](#)

HEARING - Receive a report on a Wave Energy Pilot Project. (EST. TIME: 30 MIN.)

Legislative History

6/5/07	BOARD OF SUPERVISORS	Set for a hearing, as follows: June 19, 2007 in Santa Barbara (EST. TIME: 30 MIN.)
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3) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 07-00532](#)

HEARING - Consider recommendations regarding the Flood Control Benefit Assessment Program for Fiscal Year 2007-08, as follows: (EST. TIME: 15 MIN.)

- a) Introduce an ordinance entitled, "An Ordinance Amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services" imposing Flood Control Benefit Assessments for Fiscal Year 2007-08;
- b) Receive a report regarding Flood Control Benefit Assessment for Fiscal Year 2007-08 and direct recordation; and
- c) Set a hearing for July 3, 2007, as follows:
 - i) Make a determination upon each assessment described in the report ordered filed by the Board at the June 19, 2007 meeting;
 - ii) Adopt a Resolution confirming Flood Control Benefit Assessment for Fiscal Year 2007-08 and authorize the Clerk of the Board to record a certified copy; and
 - iii) Adopt an ordinance entitled, "An Ordinance Amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services" imposing Flood Control Benefit Assessments for Fiscal Year 2007-08.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE
(Set Hearing for 6/19/2007. Time estimate minutes.)

Legislative History

- 5/22/07 BOARD OF SUPERVISORS Acted on and set for a hearing, as follows:
June 19, 2007 in Santa Barbara (EST TIME: 10 MIN.)
- a) Accepted.
 - b) Set hearing for June 19, 2007.
 - c) Set hearing for July 3, 2007.

4) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 07-00213](#)

HEARING - Consider recommendations regarding the Annual Maintenance Plan, Fiscal Year 2007/08, All Supervisorial Districts, as follows: (EST. TIME: 15 MIN.)

- a) Approve the individual CEQA exempt projects for each of the projects described in Section 1 of the Fiscal Year 2007/08 Annual Maintenance Plan;
- b) Certify that the addenda to Program EIR (01-EIR-01) contained within Section 2 of the Fiscal Year 2007/08 Annual Maintenance Plan have been completed in compliance with the California Environmental Quality Act (CEQA);
- c) Certify that the Board has reviewed and considered the information contained in the Final Program

EIR and individual addenda contained within the Fiscal Year 2007/08 Annual Maintenance Plan as well as information presented during the public hearing prior to the approval of the individual projects presented in Section 2 of the Fiscal Year 2007/08 Annual Plan;

d) Adopt CEQA Findings and Statement of Overriding Considerations included in Section 4 of the Fiscal Year 2007/08 Annual Maintenance Plan;

e) Adopt the Mitigation and Monitoring Programs attached to the addenda for individual projects described in Section 2 of the Fiscal Year 2007/08 Annual Maintenance Plan; and

f) Approve individual projects described in Section 2 of the Fiscal Year 2007/08 Annual Plan.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

3/13/07 BOARD OF SUPERVISORS Set for a hearing, as follows:
June 19, 2007 in Santa Barbara (EST. TIME: 45 MIN.)

5) COUNTY EXECUTIVE OFFICE [File Reference No. 07-00586](#)

HEARING - Consider Response to the Grand Jury Report on "A New County Jail? A Need That Will Not Go Away!", as follows (EST. TIME: 20 MIN)

a) Adopt the responses as the Board of Supervisors' responses to the 2006-07 Grand Jury Report entitled "A New County Jail? A Need That Will Not Go Away!"; and

b) Authorize the Chair to sign the letter forwarding the responses to the Presiding Judge.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

6/5/07 BOARD OF SUPERVISORS Set for a hearing, as follows:
June 19, 2007 in Santa Barbara (EST. TIME: 10 MIN.)

6) COUNTY EXECUTIVE OFFICE [File Reference No. 07-00567](#)

HEARING - Consider Response to the Grand Jury Report on "Certificates of Participation in Public Financing: Is More Scrutiny Needed?", as follows: (EST. TIME: 20 MIN.)

a) Adopt the responses as the Board of Supervisors' responses to the 2006-07 Grand Jury Report entitled "Certificates of Participation in Public Financing: Is More Scrutiny Needed?"; and

b) Authorize the Chair to sign a letter forwarding the responses to the Presiding Judge.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

6/5/07 BOARD OF SUPERVISORS Set for a hearing, as follows:
June 19, 2007 in Santa Barbara (EST. TIME: 20 MIN.)

7) PUBLIC WORKS [File Reference No. 07-00412](#)

HEARING - Consider recommendations regarding the Sandylan Seawall Maintenance District No. 1 Proposed Benefit Assessment for Rock Revetment Repair in Fiscal Year 2007-08, County Project No. 720548, First District, as follows: (EST. TIME: 30 MIN.)

- a) Receive oral and written testimony and written protests that have been filed, if any;
- b) Tabulate property owner written ballots;
- c) Adopt at the conclusion of the public hearing the attached resolution entitled "Resolution of the Board of Supervisors of the County of Santa Barbara, State of California Imposing a 2007-08 Benefit Assessment within Sandylan Seawall Maintenance District No. 1", if there is not a 'majority protest' as defined in this Board Letter; and
- d) Approve and file with the Clerk of the Board the Report entitled "Engineer's Report on Proposed 2007-08 Assessment for engineering, environmental, and permitting work for Sand Point Road Rock Revetment Repair".

COUNTY EXECUTIVE OFFICER'S RECOMMENDATIONS: POLICY

Legislative History

5/1/07 BOARD OF SUPERVISORS Set for a hearing, as follows:
June 19, 2007 in Santa Barbara (EST. TIME: 60 MIN.)

8) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 07-00472](#)

HEARING - Receive and file the quarterly update from Housing and Community Development Department. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

5/15/07 BOARD OF SUPERVISORS Set for a hearing, as follows:
June 19, 2007 in Santa Barbara (EST. TIME: 45 MIN.)

9) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 07-00562](#)

HEARING - Consider recommendations of the Affordable Housing Policy Committee Report, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file the report from the Affordable Housing Advisory Committee and the analysis of the report by the County Executive Office;
- b) Consider the 13 recommendations and staff's response to each; and
- c) Direct the CEO's office to take actions necessary for a timely implementation of the recommendations.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

6/5/07 BOARD OF SUPERVISORS Set for a hearing, as follows:

June 19, 2007 in Santa Barbara (EST. TIME: 60 MIN.)

10) PLANNING AND DEVELOPMENT

[File Reference No. 07-00420](#)

HEARING - Consider the third-party appeals (Case No. 06APL-00000-00022 and 06APL-00000-00055) of the Montecito Planning Commission's March 21, 2007 de novo approval of the appeal of a Coastal Development Permit (Case No. 05CDP-00000-00139) and final MBAR approval (Case No. 05BAR-00000-00300), for the Kogevinas additions of a new garage and pool, in the Montecito area, First District, as follows: (EST. TIME: 1 HR.)

a) Deny the appeals, Case Nos. 06APL-00000-00022 and 06APL-00000-00055, thereby upholding the Montecito Planning Commission's decision;

b) Adopt the required findings for approval of Case Nos. 05CDP-00000-00139 and 05BAR-00000-0300; and

c) Grant de novo approvals of Coastal Development Permit Case No. 05CDP-00000-00139 and of MBAR Case No. 05BAR-00000-00300.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

(Set Hearing for 6/19/2007. Time estimate 60 minutes.)

Legislative History

5/1/07 BOARD OF SUPERVISORS Set for a hearing, as follows:
June 19, 2007 in Santa Barbara (EST. TIME: 60 MIN.)

11) PLANNING AND DEVELOPMENT

[File Reference No. 07-00537](#)

HEARING - Consider the appeal filed by the Gaviota Coast Conservancy (Case No. 06APL-00000-00045) of the Planning Commission's November 8, 2006 approval of the Ballantyne Residence and Accessory Structures (Case No. 06APL-00000-00019) located at 500 Farren Road, Goleta Area (APN 079-090-036), Third District, as follows: (EST. TIME: 1 HR. 30 MIN.)

a) Option 1 - Grant the Appeal, Deny the Project (P&D's Recommended Action);

Grant appeal Case No. 06APL-00000-00045 marked "Officially Accepted, County of Santa Barbara June 19, 2007 Board of Supervisors Exhibit No. 1," based upon the project's inconsistency with the Comprehensive Plan, Goleta Community Plan and Land Use and Development Code, and based on the inability to make the required findings.

i) Grant the appeal, Case No. 06APL-00000-00045, and overturn the Planning Commission's November 8, 2006 decision to approve the project, Case No. 06APL-00000-00019;

ii) Adopt the required findings for denial of the project, Case No. 05LUP-00000-00611, specified in Attachment A, Denial Findings, of the Planning Commission Staff Report dated September 15, 2006;

iii) Deny the proposed project, Case No. 05LUP-00000-00611; and

iv) Find that the California Environmental Quality Act does not apply to the project based on Section 15270 of the State of California's Guidelines for Implementation of the California Environmental Quality Act, titled "Projects Which Are Disapproved."

b) Option 2 - Apply the Requirements of CEQA, Continue the Appeal;

Direct the Planning and Development Department staff to apply the requirements of California Environmental Quality Act (CEQA) and continue the appeal, Case No. 06APL-00000-00045.

- i) Direct staff to apply the requirements of the CEQA to the project; and
- ii) Continue the item until staff has prepared the required environmental documents and otherwise complied with the requirements of CEQA.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY
(Set Hearing for 6/19/2007. Time estimate 90 minutes.)

Legislative History

5/22/07 BOARD OF SUPERVISORS Set for a hearing, as follows:
June 19, 2007 in Santa Barbara (EST. TIME: 90 MIN.)

Adjourn to

June 26, 2007

Betteravia Government Center

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

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 June 19, 2007, will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, June 21, 2007, at 5:00 PM on CSBTV Channel 20.

<http://www.countyofsb.org>