

**County of Santa Barbara**  
**BOARD OF SUPERVISORS**

**ACTION SUMMARY**

**October 10, 2006**

**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.

Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at:  
[www.countyofsb.org](http://www.countyofsb.org)

**7:50 A.M. .... Convened and Recessed to Closed Session**

**10:00 A.M. .... Reconvened to Regular Session**

*CONVENED AT 10:37 AM*

**Roll Call**

Present: Supervisor Carbajal, Supervisor Rose, Supervisor Firestone, Supervisor Gray and Supervisor Centeno

**Pledge of Allegiance**

**Report from Closed Session**

No reportable action taken.

**Approval of Minutes of the October 3, 2006 meeting**

A motion was made by Supervisor Centeno, seconded by Supervisor Carbajal, to Approve the Minutes

The motion carried unanimously.

## Administrative Agenda

### Resolutions to be Presented at 10:00 A.M.

A-1) SUPERVISOR CENTENO [File Reference No. 06-00937](#)

Adopt a Resolution proclaiming October 16, 2006 through October 22, 2006 as Santa Maria Valley's Peace Week.

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Adopted**

**RESOLUTION NO. 06-306**

**The motion carried unanimously.**

A-2) SUPERVISOR CARBAJAL and SUPERVISOR GRAY [File Reference No. 06-00935](#)

Adopt a Resolution proclaiming October 2006 as "Domestic Violence Awareness Month" in Santa Barbara County.

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Adopted**

**RESOLUTION NO. 06-307**

**The motion carried unanimously.**

A-3) SUPERVISOR GRAY [File Reference No. 06-00936](#)

Adopt a Resolution of Commendation honoring the Sheriff's Department Training Cadre as the County of Santa Barbara's Employees of the Month for October 2006.

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Adopted**

**RESOLUTION NO. 06-308**

**The motion carried unanimously.**

A-4) SUPERVISOR GRAY [File Reference No. 06-00938](#)

Adopt a Resolution proclaiming Sunday, October 8, 2006 as "Neighbors Who Disappeared" Day in Santa Barbara County.

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Adopted**

**RESOLUTION NO. 06-309**

**The motion carried unanimously.**

### Administrative Items

A-5) BOARD OF DIRECTORS, WATER AGENCY [File Reference No. 06-00947](#)

Consider recommendations regarding the Cloud Seeding Program 2006-07, as follows:

a) Concur with the Planning and Development Department's finding that CEQA Section 15164 is applicable to 00-ND-29 and that the document is adequate to meet the requirements of CEQA for the

Santa Barbara County-Twitchell Reservoir Cloud Seeding Program;

b) Approve the 2006-2007 cloud seeding program and authorize the Chair to execute the agreement with North American Weather Consultants, Inc., (not a local vendor) located at 8180 South Highland Drive, Suite B-2, Sandy, Utah 84093 for cloud seeding for the period of October 10, 2006 through June 30, 2007 unless earlier terminated, in an amount not to exceed \$277,765;

c) Approve and authorize the Chair to execute the Lease Agreement for Monitoring and Generator Station with Betteravia Investments, LLC for ground-based cloud seeding activities for the period of November 1, 2006 through October 31, 2007 in the amount of \$1,500.00 per year;

d) Approve and authorize the Chair to execute the Right of Entry License with Plains Exploration and Production Company to access an existing private road on APNs: 097-360-010 and 099-010-056 for ground-based cloud seeding activities at no cost; and

e) Approve and authorize the Chair to execute the attached Extension and Renewal of Lease Agreements with the following property owners for ground-based cloud seeding activities for the period of November 1, 2006 through October 31, 2007:

- i) Community Radio Inc., in the amount of \$1,200.00;
- ii) Young America's Foundation, in the amount of \$1,200.00; and
- iii) Earl J. Dolcini, in the amount of \$900.00.

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Acted on as follows:**

**a) and b) Approved.**

**c) through e) Approved; Chair to execute.**

**The motion carried unanimously.**

A-6) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

[File Reference No. 06-00948](#)

Approve and authorize the Chair to execute the "Owner's Agreement to Construct and Maintain Private Drainage Improvements and Private Drainage & Maintenance Easements" with Better Cooling Inc., owners of Development Case No. 05DVP-00000-00007 (APN: 129-010-035). The Development Plan (05DVP-00000-00007) is to develop a 13,650sf expansion to an existing 13,650sf agricultural cooling facility, a 7,000sf shade canopy, and a 24,000sf storage building on the referenced parcel (APN: 129-010-035).

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Approved; Chair to Execute. The motion carried unanimously.**

A-7) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT and PUBLIC WORKS

[File Reference No. 06-00939](#)

Consider recommendations regarding the acceptance of easement by Flood Control, as follows:

- a) Approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines regarding the proposed acceptance of fee ownership of three small parcels known as APNs 117-030-055, -056, and -058 which parcels are located adjacent to the Blosser Flood Control Channel

in Santa Maria; and

b) Execute the Certificate of Acceptance attached to the Grant Deed regarding the above referenced properties.

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Acted on as follows:**

**a) Approved.**

**b) Executed.**

**The motion carried unanimously.**

A-8) COUNTY EXECUTIVE OFFICE

[File Reference No. 06-00950](#)

Approve and authorize the Chair to sign the letter and application to the Department of Alcohol Beverage Control (ABC) determining that public convenience will be served by approving the new Off-sale Beer and Wine license to R Country Market, located at 1000 Edison St., Santa Ynez, Third District.

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Approved; Chair to Execute. The motion carried unanimously.**

A-9) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

[File Reference No. 06-00949](#)

Adopt one resolution, effective October 9, 2006, to implement changes approved during fiscal year 2006-07 budget hearings as follows:

MENTAL HEALTH SERVICES (#5250)

Reallocate:

From: 0.625 FTE ADMHS Psychiatric Tech I/II (Class 5210/5211)

To: 1.0 FTE ADMHS Psychiatric Tech I/II (Class 5210/5211)

From: 0.75 FTE ADMHS Case Worker (Class 5155)

To: 1.0 FTE ADMHS Case Worker (Class 5155)

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Adopted**

**RESOLUTION NO. 06-310**

**The motion carried unanimously.**

A-10) EMPLOYEES' RETIREMENT SYSTEM

[File Reference No. 06-00916](#)

Receive and file a special actuarial study dated July 19, 2006, on including standby pay in pensionable earnings.

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Received and filed. The motion carried unanimously.**

A-11) GENERAL SERVICES

[File Reference No. 06-00946](#)

Consider recommendations regarding the Santa Barbara Superior Court remodel project #8560 / F01008, First District, as follows:

a) Award and execute a Fixed Price Construction Contract in the amount of \$985,605 to the lowest responsible bidder, Lack Construction, Inc., 420 E. Carrillo St., Santa Barbara, California, (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 \$61,780.25 for this contract.

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Acted on as follows:**

**a) Approved;**

**b) Authorized.**

**The motion carried unanimously.**

A-12) HOUSING AND COMMUNITY DEVELOPMENT

[File Reference No. 06-00933](#)

Consider recommendations regarding the renewal of HOME Consortium Subrecipient Agreements, Fourth and Fifth Districts, as follows:

a) Approve the renewal of the City of Lompoc and the City of Santa Maria Subrecipient Agreements that implement the Cooperative Agreement to Renew a HOME Consortium; and

b) Designate the Housing and Community Development Interim Director to execute the City of Lompoc and the City of Santa Maria Subrecipient Agreements on behalf of the County consistent with the terms and conditions detailed in the Cooperative Agreement to Renew a HOME Consortium.

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Acted on as follows:**

**a) and b) Approved.**

**The motion carried unanimously.**

A-13) HOUSING AND COMMUNITY DEVELOPMENT

[File Reference No. 06-00934](#)

Consider recommendations regarding the subordination of existing HOME loan for College Park Apartments, Fourth District, as follows:

a) Approve the subordination of the County's existing \$2,085,466 loan to the Montecito Bank and Trust loan for the College Park project; and

b) Authorize the Interim Director of Housing and Community Development to execute the subordination agreements, consistent with the terms and conditions detailed in the Board letter dated October 10, 2006.

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Acted on as follows:**

**a) Approved.**

**b) Authorized.**

**The motion carried unanimously.**

A-14) HOUSING AND COMMUNITY DEVELOPMENT

[File Reference No. 06-00944](#)

Approve and authorize the Chair to execute the Agreement to Provide Affordable Housing and Thirty-Year Shared Equity Appreciation Covenant for StoneGate Housing Development [TM 14,481,

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Approved; Chair to Execute. The motion carried unanimously.**

A-15) PLANNING AND DEVELOPMENT

[File Reference No. 06-00942](#)

Authorize Planning and Development to approve and issue Land Use Permit No. 06LUP-00000-00649, and associated Grading Permit No. 06GRD-00000-00051 for rough tract grading of the approved development area of the Clubhouse Estates Vesting Tentative Tract Map No. 03TRM-00000-00003/TM 14,629 contingent upon satisfaction of all pre-grading conditions of approval. This request concerns Assessor's Parcel Number 097-371-008, located at the NE and NW intersection of Burton Mesa Boulevard and Clubhouse Road, Vandenberg Village area, Third District.

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Approved. The motion carried unanimously.**

A-16) PLANNING AND DEVELOPMENT

[File Reference No. 06-00943](#)

Receive and file the report on issuance of Dorn Demolition Emergency Permit on Emergency Permit Case No. 06EMP-00000-00005 involving AP No. 075-202-009, located at 6671 Del Playa in the Isla Vista Area, Third District.

**A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Received and filed. The motion carried unanimously.**

A-17) PUBLIC WORKS and BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT

[File Reference No. 06-00953](#)

Consider recommendations regarding the final tract map no. 14,481 Stonegate Ranch, contingent upon approval of the Agreement to Provide Affordable Housing and a Shared Equity Appreciation Restrictive Covenant with the County of Santa Barbara, Fourth District, as follows:

- a) Approve the Final Map of Tract No. 14,481;
- b) Accept the offer to dedicate First Street, Soares Avenue and Penelope Lane as easements to the County of Santa Barbara for public roads;
- c) Accept the offer to dedicate the Waiver of Abutter's Access Rights to Rice Ranch Road;
- d) Accept the offer to dedicate Lot 46 in fee for Park Purposes;
- e) Accept the offer to dedicate the easement for Sewer Purposes to Laguna County Sanitation District;
- f) Accept the easements shown on the Final Map of Tract No, 14, 481 for the purposes set forth; and
- g) Direct the County Surveyor to record the Final Map after the approved agreement to provide Affordable Housing and a Shared Equity Appreciation Restrictive Covenant with the County of Santa Barbara has been properly executed and recorded in the Office of the County Recorder, County of Santa Barbara.

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

- a) Approved.
- b) through f) Accepted.
- g) Approved.

The motion carried unanimously.

## Hearing Requests

A-18) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 06-00952](#)

Consider recommendations regarding the compensation for the County Board of Supervisors, as follows:

- a) Set hearing to consider the introduction (First Reading) of an ordinance setting the biweekly compensation of members of the Santa Barbara County Board of Supervisors; and
- b) Set hearing to consider adoption (Second Reading) of an ordinance setting the biweekly compensation of members of the Santa Barbara County Board of Supervisors

A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: October 17, 2006 in Santa Barbara (EST. TIME: 10 MIN.) The motion carried unanimously.

A-19) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 06-00945](#)

Set hearing to approve the Countywide Ten Year Plan to End Chronic Homelessness.

A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: October 17, 2007 in Santa Barbara (EST. TIME: 45 MIN.) The motion carried unanimously.

A-20) PLANNING AND DEVELOPMENT [File Reference No. 06-00940](#)

Set hearing to consider recommendations regarding a zoning ordinance text amendment to the Santa Barbara County Land Use and Development Code to allow an expedited permit process for Agricultural Soil Export Mining under the Surface Mining and Reclamation Act (SMARA), as follows:

- a) Find that this amendment is categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for Implementation of CEQA;
- b) Adopt findings for approval of the proposed amendment; and
- c) Adopt an Ordinance (Case No. 06ORD-00000-00014) amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35 of the County Code.

A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: October 24, 2006 in Santa Maria (EST. TIME: 30 MIN.) The motion carried unanimously.

A-21) PLANNING AND DEVELOPMENT [File Reference No. 06-00941](#)

HEARING - Consider the Ty Warner Hotels & Resorts' appeal of the Montecito Planning Commission's August 16, 2006 approval of the proposed Biltmore Seawall Conditional Use Permit, Case No. 05CUP-00000-00025. The project involves AP No. 009-353-015, located at 1281 Channel

Drive, Montecito Area, First District (EST. TIME: 30 MIN.).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION:

A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: November 7, 2006 in Santa Barbara (EST. TIME: 30 MIN.) The motion carried unanimously.

A-22) SUPERVISOR ROSE and GENERAL SERVICES [File Reference No. 06-00932](#)

Set hearing to receive a presentation on sustainable public architecture and reduction of green-house gases generated by county-owned facilities.

A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: October 17, 2006 in Santa Barbara (EST. TIME: 45 MIN.) The motion carried unanimously.

**Board of Supervisors**

A-23) SUPERVISOR CENTENO [File Reference No. 06-00954](#)

Approve the appointment of Craig Shafer to the Arts Commission, Fifth District.

A motion was made by Supervisor Rose, seconded by Supervisor Firestone, that this matter be Approved. The motion carried unanimously.

**Approval of Administrative Agenda**

*HEARING TIME: 10:40 AM - 10:45 AM (5 MIN.)*

A motion was made by Supervisor Rose, seconded by Supervisor Firestone, to Approve the Administrative Agenda. The motion carried unanimously.

**Public Comment Period**

*HEARING TIME 11:06 - 11:26 AM (20 MIN.)*

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 03-282) (06-00049)

RE: Human Resource Process - Robert Jones, Ph.D. Addressed the Board.

RE: Toro Canyon property Issues- John Thorndike, IV Addressed the Board.

RE: Peace/ Proposition 86/Health Care - Sister Janet Corcoran Addressed the Board.

RE: Adoption of Mobile Home Conversion Ordinance - Hank Hoysak and Betty Lovell Addressed the Board.

RE: Mobile Home Parks/Medical Programs - George Alvarez Addressed the Board.



**Departmental Agenda**  
**Planning Items and Public Hearings**

- 1) BOARD OF DIRECTORS, LAGUNA COUNTY [File Reference No. 06-00842](#)  
SANITATION DISTRICT and PUBLIC WORKS

HEARING - Consider recommendation regarding the formation of an Improvement Zone within Laguna County Sanitation District for the Operation and Maintenance of a Sewage Lift Station for Tract 14,556, Fourth District, as follows: (EST. TIME: 15 MIN.)

Adopt a resolution establishing Improvement Zone No. 1 for Vintage Ranch, Tract 14,556 and authorizing the collection of the special assessment on the tax rolls.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 11:28 AM - 11:32 AM (4 MIN.)*

**A motion was made by Supervisor Gray, seconded by Supervisor Firestone, that this matter be Acted on as follows: Received staff report and conducted public hearing. No formal protests or objections filed.**

**a) Adopted.**

**RESOLUTION NO. 06-311**

**The motion carried unanimously.**

- 2) COUNTY EXECUTIVE OFFICE [File Reference No. 06-00955](#)

HEARING - Consider recommendations regarding Tax Sale Parcel - Cuyama Recreational District, Fifth District, as follows: (EST. TIME: 15 MINS.)

a) Approve the Agreement to Purchase Tax-Defaulted Property; and

b) Provide funding in the amount of \$5300 to cover the uncollected taxes required to be paid in the Agreement by an allocation of funds from the General Fund.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 11:32 AM - 11:40 (8 MIN.)*

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

**Received and filed staff report.**

**a) and b) Approved.**

**The motion carried unanimously.**

**Adjourned at 11:40 AM**

**The Board adjourned the meeting of October 10, 2006  
in Honor of Donald Grant Wilson of Cuyama Valley.**

**Adjourned to**

**October 17, 2006**

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

**Announcements**

The meeting of October 10, 2006, will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, October 12, 2006, at 5:00 PM on CSBTV Channel 20.

**<http://www.countyofsb.org>**