

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, September 11, 2007

**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 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**9:00 A.M. Reconvene to Regular Session****Roll Call****Pledge of Allegiance****Report from Closed Session**1) COUNTY COUNSEL[File Reference No. 07-00881](#)

Agenda for Closed Session

Approval of Minutes of the September 4, 2007 meeting**Receive a status report on the Zaca Fire****Administrative Agenda**

All matters listed hereunder constitute a consent agenda, and will be acted upon by a single roll call vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board or the public, in which event the matter shall be removed from the administrative agenda and considered as a separate item.

Resolutions to be Presented at 9:00 A.M.A-1) SUPERVISOR FIRESTONE[File Reference No. 07-00874](#)

Adopt a Resolution proclaiming the 2007 Santa Barbara County Charitable Giving Campaign "Gifts of Gratitude".

A-2) SUPERVISOR CENTENO[File Reference No. 07-00886](#)

Adopt a Resolution proclaiming September 2007 as National Alcohol and Drug Addiction Recovery Month in Santa Barbara County.

Administrative ItemsA-3) COUNTY COUNSEL[File Reference No. 07-00856](#)

HEARING - Consider and approve the proposed amendments to the Conflict of Interests Code of the Goleta Sanitary District.

Legislative History

9/4/07 BOARD OF SUPERVISORS Set for a hearing, as follows:
September 11, 2007 in Santa Maria (EST. TIME: 2 MIN.)

A-4) COUNTY COUNSEL[File Reference No. 07-00857](#)

HEARING - Consider and approve the proposed amendments to the Conflict of Interests Code of the Santa Maria Airport District.

Legislative History

9/4/07 BOARD OF SUPERVISORS Set for a hearing, as follows:

September, 11, 2007 in Santa Maria (EST. TIME: 2 MIN.)

A-5) COUNTY COUNSEL [File Reference No. 07-00858](#)

HEARING - Consider and approve the proposed amendments to the Conflict of Interests Code of the Los Alamos Community Services District.

Legislative History

9/4/07 BOARD OF SUPERVISORS Set for a hearing, as follows:
September 11, 2007 in Santa Maria (EST. TIME: 2 MIN.)

A-6) COUNTY COUNSEL [File Reference No. 07-00859](#)

HEARING - Consider and approve the proposed amendments to the Conflict of Interests Code of the Cold Springs Elementary School District.

Legislative History

9/4/07 BOARD OF SUPERVISORS Set for a hearing, as follows:
September 11, 2007 in Santa Maria (EST. TIME: 2 MIN.)

A-7) COUNTY COUNSEL [File Reference No. 07-00860](#)

HEARING - Consider and approve the proposed amendments to the Conflict of Interests Code of the Santa Barbara Metropolitan Transit District.

Legislative History

9/4/07 BOARD OF SUPERVISORS Set for a hearing, as follows:
September 11, 2007 in Santa Maria (EST. TIME: 2 MIN.)

A-8) COUNTY COUNSEL [File Reference No. 07-00861](#)

HEARING - Consider and approve the proposed amendments to the Conflict of Interests Code of the Lompoc Unified School District.

Legislative History

9/4/07 BOARD OF SUPERVISORS Set for a hearing, as follows:
September 11, 2007 in Santa Maria (EST. TIME: 2 MIN.)

A-9) COUNTY EXECUTIVE OFFICE [File Reference No. 07-00871](#)

Reaffirm the ongoing existence of Local Emergency due to the Zaca Fire.

A-10) GENERAL SERVICES [File Reference No. 07-00876](#)

Consider the recommendation regarding the County's desire to retain ownership of the Historic Santa Barbara County Courthouse in accordance with Government Code 70329, Second District, as follows:

Authorize the Chair to execute a letter to the Administrative Director of the Courts that asserts the County's right to retain ownership of the Historic Santa Barbara Courthouse in accordance with Government Code Section 70329.

A-11) PLANNING AND DEVELOPMENT [File Reference No. 07-00872](#)

Authorize the Chair to execute the Contract between the County of Santa Barbara and Hunt & Associates Biological Consulting Services for a period of seven years commencing September 11, 2007 and terminating on December 31, 2014, to provide Environmental Quality Assurance Program monitoring services for the Preserve at San Marcos residential subdivision project (TM 14,585, 01DVP-00000-00071, 07LUP-00000-00144, 07LUP-00000-00221, 07LUP-00000-00227). The base Contract amount is \$722,695.00, and includes a 15% contingency fund of \$108,404.00, for a total not-to-exceed amount of \$831,099.00, Second District.

A-12) SHERIFF [File Reference No. 07-00870](#)

Consider recommendation regarding \$10,000 grant funding from the California Highway Patrol (CHP) for increased law enforcement to reduce driving under the influence and related alcohol violations, as follows: (4/5 vote required)

a) Accept a grant of \$10,000 from the California Highway Patrol (CHP) for increased law enforcement to reduce driving under the influence and related alcohol violations; and

b) Approve Budget Revision 2007008 recognizing the grant revenue and appropriating expenditures within the Santa Barbara Sheriff's Department.

A-13) SHERIFF [File Reference No. 07-00873](#)

Accept and file the annual Income Statement report for the Inmate Services Program for Fiscal Year 2006-07.

Board of SupervisorsA-14) SUPERVISOR CARBAJAL [File Reference No. 07-00883](#)

Approve the appointment of Will Xavier Rivera to the South County Board of Architectural Review, First District.

A-15) SUPERVISOR FIRESTONE [File Reference No. 07-00877](#)

Approve the appointment of Charles Arthur Jackson to the Planning Commission, Third District.

A-16) SUPERVISOR CENTENO [File Reference No. 07-00884](#)

Approve the appointment of James Hedeo Nishimori to the North County Board of Architectural Review, Fifth District.

Hearing RequestsA-17) COUNTY EXECUTIVE OFFICE [File Reference No. 07-00882](#)

Set a hearing to consider recommendations regarding the Abandoned Boat Response and Removal and Abandoned Watercraft Abatement Fund (AWAF) Grant Award, as follows:

a) Receive a report on and approve the multi-department response and removal processes for abandoned and/or hazardous vessels and direct staff to take necessary action as necessary; and

b) Approve and authorize the Sheriff to accept a State Grant from the California Department of Boating and Waterways, Abandoned Watercraft Abatement Fund (AWAF), in the amount of \$25,000 to reimburse County costs, up to 90%, for the removal of non-commercial watercraft that are abandoned and/or present a hazard to the public and/or environment.
(Set Hearing for 9/18/2007. Time estimate 20 minutes.)

A-18) COUNTY EXECUTIVE OFFICE

[File Reference No. 07-00885](#)

Set a hearing to consider a Scope of Work for completing the Greater Santa Ynez Valley Baseline Report and provide direction to staff accordingly.
(Set Hearing for 9/18/2007. Time estimate 60 minutes.)

A-19) PLANNING AND DEVELOPMENT

[File Reference No. 07-00867](#)

Set hearing to consider a consistency rezone amendment and comprehensive plan amendment for Ordinance 661 zoned parcels in the Santa Maria Valley and San Antonio Creek Rural Regions, as follows:

- a) Adopt the required findings for 07RZN-00000-00010, including CEQA findings;
- b) Accept the Final Negative Declaration (07NGD-00000-00013);
- c) Adopt a Resolution approving amendments to the Santa Barbara County Comprehensive Plan, specifically the Santa Maria Valley Rural Region Land Use Map and the San Antonio Creek Rural Region Land Use Map; and
- d) Adopt an Ordinance amending the County Zoning Map of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, by repealing Ordinance No. 661 zoning designations for certain properties located in the unincorporated portions of the Santa Maria Valley Rural Region and San Antonio Creek Rural Region, and rezoning these properties to the AG-II-100, AG-II-40, AG-I-40, AG-I-20, AG-I-10, and RR-5 zones in the Santa Barbara County Land Use and Development Code.
(Set Hearing for 9/25/2007. Time estimate 120 minutes.)

A-20) PLANNING AND DEVELOPMENT

[File Reference No. 07-00878](#)

Set hearing to consider amendments to the Uniform Rules for Agricultural Preserves and Farmland Security Zones, as follows:

- a) Adopt the Findings and Statement of Overriding Considerations for approval of the amended Uniform Rules;
- b) Certify the Final Environmental Impact Report (04-EIR-08) and Mitigation Monitoring and Reporting Plan; and
- c) Adopt a Resolution to amend the Uniform Rules for Agricultural Preserves and Farmland Security Zones, Santa Barbara County, September 2007.
(Set Hearing for 9/25/2007. Time estimate 120 minutes.)

A-21) PUBLIC WORKS[File Reference No. 07-00880](#)

Set hearing to consider the Toro Canyon Survey Discrepancy, First District, as follows:

- a) Determine that an area of survey discrepancy, as defined by Chapter 21A of the County Code exists within T4N R26W SBM Sections 1 and 12 in the Toro Canyon area;
- b) Adopt a Resolution declaring an area of survey discrepancy and invoking provisions of Chapter 21A of the County Code to allow land owners an expedited method of resolving boundary disputes;
- c) Adopt a Resolution to add cost reimbursement of \$1250 deposit plus \$50 per lot (similar to fees collected for review of Lot Line Adjustments) to be paid to the County Surveyor's Office for processing of boundary line agreement documents in accordance with Chapter 21A of the County Code;
- d) Upon adoption of c) above, approve an annual fee adjustment linked to the Consumer Price Index (CPI) for the Fee Schedule;
- e) Upon adoption of b) above, pursuant to County's California Environmental Quality Act (CEQA) Guidelines, Approve Notice of Exemption from the California Environmental Quality Act of 1970 (CEQA) exemption under Public Resources Code, Section 21083 and 21087, and Title 14 (California Code of Regulations), Section 15301, for the Survey Discrepancy Resolution; and
- f) Upon adoption of c) and d) above, pursuant to County's California Environmental Quality Act (CEQA) Guidelines, Approve Notice of Exemption from the California Environmental Quality Act of 1970 (CEQA) exemption under Public Resources Code, Section 21080, Subdivision (b)(8)(A) & (B) and Title 14 (California Code of Regulations), Section 15273, for the Fee Resolution.
(Set Hearing for 10/16/2007. Time estimate 60 minutes.)

Board of Directors, Redevelopment AgencyA-22) AUDITOR-CONTROLLER[File Reference No. 07-00866](#)

Set hearing to consider the recommendations regarding the Annual County Financial Audit for fiscal year ended June 30, 2007 Annual Redevelopment Agency Audit for fiscal year ended June 30, 2007, as follows:

Acting as the Board of Supervisors:

- a) Receive and file the County of Santa Barbara's Comprehensive Annual Financial Report (CAFR) and Financial Highlights for the fiscal year ended June 30, 2007; and

Acting as the Redevelopment Agency Board of Directors:

- b) Receive and file the Agency's Annual Financial Report for the fiscal year ended June 30, 2007.
(Set Hearing for 9/18/2007. Time estimate 30 minutes.)

A-23) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[File Reference No. 07-00887](#)

Consider recommendations regarding the Union of American Physicians and Dentists Contract Extension, as follows:

- a) Approve an extension of the current Memorandum of Understanding with the Santa Barbara County Union of American Physicians and Dentists (UAPD) from September 10, 2007 through October 3, 2010; and
- b) Adopt a resolution effective September 10, 2007 deleting the classification of Psychiatrist I, changing the title of the classification of Staff Physician II to Staff Physician, changing the title of the classification of Psychiatrist II Board-certified to Psychiatrist, reallocating incumbents into the re-titled classifications, and setting salaries for the listed classifications represented by the UAPD.

ADDENDUM:**Item A-24) is added to the Administrative Agenda, as follows:**A-24) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[File Reference No. 07-00894](#)

Approve the contract extension for Douglas C. Barton as Alcohol, Drug and Mental Health Services Director on an interim basis for \$17,333 a month.

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

ADDENDUM:**Departmental Item No. 1) is amended as follows:**1) PLANNING AND DEVELOPMENT [File Reference No. 07-00822](#)

HEARING - Consider Case No. 07APL-00000-00021 for the Olson Appeal of the Planning Commission's approval of the Maxwell Duplex (06DVP-00000-00022), Second District, as follows: (EST. TIME: 1 HR. 30 MIN.)(EST. TIME: 20 MIN.) (PUBLIC HEARING CLOSED)

- a) Adopt the required findings for the project specified in Attachment A of the Planning Commission staff report dated April 13, 2007, including CEQA findings;
- b) Accept the exemption pursuant to CEQA Guidelines Section 15303 contained in Attachment C of the Planning Commission staff report dated April 13, 2007;
- c) Deny the appeal, upholding the Planning Commission's approval of the Development Plan for the Maxwell Duplex; and
- d) Grant de novo approval of the project subject to the conditions included as Attachment B of the Planning Commission staff report dated April 13, 2007.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

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| 8/21/07 | BOARD OF SUPERVISORS | Set for a hearing, as follows:
September 4, 2007 in Santa Barbara (EST. TIME: 90 MIN.) |
| 9/4/07 | BOARD OF SUPERVISORS | Acted on and continued, as follows:

Received and filed staff presentation and conducted public hearing.
Public Hearing closed.

Continued matter to September 11, 2007 in Santa Maria for final
deliberation.(EST. TIME: 20 MIN.) |

2) PUBLIC WORKS [File Reference No. 07-00563](#)

HEARING - Consider recommendations regarding the adoption of an Ordinance entitled "An Ordinance Amending Chapters 29 and 24A of the Santa Barbara County Code" relating to Stormwater Runoff Controls, as follows: (EST. TIME: 20 MIN.)

- a) Consider the introduction (First Reading) of an Ordinance entitled "An Ordinance Amending Chapters 29 and 24A of the Santa Barbara County Code" relating to Stormwater Runoff Controls; and
- b) Set a hearing for September 25, 2007, to consider the adoption (Second Reading) of an Ordinance entitled "An Ordinance Amending Chapters 29 and 24A of the Santa Barbara County Code" relating to Stormwater Runoff Controls.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

- 6/5/07 BOARD OF SUPERVISORS Set for a hearing, as follows:
July 17, 2007 in Santa Barbara (EST. TIME: 20 MIN.)
- 7/17/07 BOARD OF SUPERVISORS Continued, as follows:
August 21, 2007 in Santa Barbara (EST. TIME: 20 MIN.)
- 8/21/07 BOARD OF SUPERVISORS Continued, as follows:
August 28, 2007 in Santa Maria.
- 8/28/07 BOARD OF SUPERVISORS Continued, as follows:
September 11, 2007 in Santa Maria (20 MIN.)

3) PLANNING AND DEVELOPMENT[File Reference No. 07-00821](#)

HEARING - Consider the Conti appeal of the Planning Commission's May 2, 2007 approval of the Manuras/Scheaffer Lot Line Adjustment and Map Modification, Case Nos. 07LLA-00000-00003 & 07RMM-00000-00003, located at 755 and 797 Rincon Hill Road (APN's 001-220-084 & 001-220-085), Carpinteria Area, First District, as follows: (EST. TIME: 30 MIN.)

- a) Deny the appeal, Case No. 07APL-00000-00019, thereby upholding the Planning Commission's approval;
- b) Adopt the revised findings for approval of Case Nos. 07LLA-00000-00003 and 07RMM-00000-00003, as revised;
- c) Accept the exemption, included in Attachment C of the Planning Commission staff report dated May 2, 2007 and as revised in the action letter dated May 4, 2007, pursuant to CEQA Guidelines Section 15305; and
- d) Grant de novo approval of Case Nos. 07LLA-00000-00003 & 07RMM-00000-00003, subject to the conditions of approval as revised.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

- 8/21/07 BOARD OF SUPERVISORS Set for a hearing, as follows:
September 11, 2007 in Santa Maria (EST. TIME: 30 MIN.)

Adjourn to
September 18, 2007
County Administration Building
Board Hearing Room
105 East Anapamu Street , Fourth Floor
Santa Barbara

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 September 11, 2007, will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, September 13, 2007, at 5:00 PM on CSBTV Channel 20.

The Legislative Program Committee meeting is scheduled from 2:30 P.M. to 3:30 P.M. on September 17, 2007, in the Board of Supervisors conference room, 105 E. Anapamu Street, Santa Barbara, CA. The committee meets to review legislative issues and make recommendations on them to the Board of Supervisors. An agenda packet is available at both the County Executive Officer's office and the Clerk of the Board's office, located at the County Administration Building, 105 E. Anapamu Street, Santa Barbara, CA.

<http://www.countyofsb.org>