
ACTION SUMMARY

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

7:50 A.M. Convened and Recessed to Closed Session**9:00 A.M. Reconvened to Regular Session**

CONVENED AT 9:10 A.M.

Roll Call

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

Pledge of Allegiance1) COUNTY COUNSEL

[File Reference No. 07-00881](#)

Agenda for Closed Session

No reportable action taken.

Approval of Minutes of the September 4, 2007 meeting

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, to Approve the Minutes. The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Firestone, Supervisor Gray and Supervisor Centeno

Abstentions: 1 - Supervisor Wolf

Receive a status report on the Zaca Fire

Received and filed.

Administrative Agenda**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 motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Adopted

RESOLUTION NO. 07-277

The motion carried unanimously.

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.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Adopted

RESOLUTION NO. 07-278

The motion carried unanimously.

Administrative Items

- A-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.
- A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Approved. The motion carried unanimously.**
- 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.
- A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Approved. The motion carried unanimously.**
- 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.
- A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Approved. The motion carried unanimously.**
- 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.
- A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Approved. The motion carried unanimously.**
- 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.
- A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Approved. The motion carried unanimously.**
- 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.
- A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Approved. The motion carried unanimously.**

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

Adopt a Resolution reaffirming the ongoing existence of Local Emergency due to the Zaca Fire.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Adopted

RESOLUTION NO. 07-279

The motion carried unanimously.

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 motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Approved; Chair to Execute. The motion carried unanimously.

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 motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Approved; Chair to Execute. The motion carried unanimously.

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

a) Accepted.

b) Approved.

The motion carried unanimously.

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.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Received and filed. The motion carried unanimously.

Board of Supervisors

A-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 motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Approved. The motion carried unanimously.

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

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

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Continued, as follows: September 25, 2007 in Santa Maria. The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Gray and Supervisor Centeno
Noes: 1 - Supervisor Firestone

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

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

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

Hearing Requests

A-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.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: September 18, 2007 in Santa Barbara (EST. TIME: 20 MIN.) The motion carried unanimously.

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.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: September 25, 2007 in Santa Maria (EST. TIME: 60 MIN.)

The motion carried unanimously.

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.

A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: October 9, 2007 in Santa Maria (EST. TIME: 120 MIN.) The motion carried unanimously.

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.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: September 25, 2007 in Santa Maria (EST. TIME: 120 MIN.)

The motion carried unanimously.

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

HEARING - Consider the Toro Canyon Survey Discrepancy, First District, as follows: (EST. TIME: 1 HR.)

- 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.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION:

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: October 16, 2007 in Santa Barbara (EST. TIME: 60 MIN.) The motion carried unanimously.

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.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: September 18, 2007 in Santa Barbara (EST. TIME: 30 MIN.)
The motion carried unanimously.

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.

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

a) Approved.

b) Adopted.

RESOLUTION NO. 07-280

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Firestone, Supervisor Gray and Supervisor Centeno

Noes: 1 - Supervisor Wolf

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.

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

Approval of Administrative Agenda

HEARING TIME: 9:17 A.M. - 9:38 A.M. (21 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, to Approve the Administrative Agenda as Amended. The motion carried unanimously.

[File Reference No.](#)

PUBLIC COMMENT

HEARING TIME: 9:48 A.M. - 10:17 A.M. (29 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) (07-00001)**

RE: A Moment of Silence in Remembrance of September 11, 2001 - Third District Supervisor Brooks Firestone Addressed the Board.

RE: County Elections - Robert L. Johns, Ph.D. Addressed the Board.

RE: 9/11 Issues - Floyd Meyers Addressed the Board.

RE: Tennissance / Genius School of Enlightenment - Kenneth Loch Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

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

HEARING TIME: 10:25 A.M. - 10:54 A.M. (29 MIN.)

Acted on as follows:**Received and filed staff presentation.**

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

Uphold the appeal denying the Planning Commission's approval of the Development Plan for the Maxwell Duplex.

The motion failed by the following vote:

Ayes: 2 - Supervisor Wolf and Supervisor Carbajal

Nos: 3 - Supervisor Firestone, Supervisor Centeno and Supervisor Gray

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

a) Adopted.

b) Accepted.

c) Denied.

d) Granted.

The motion passed by the following vote:

Ayes: 3 - Supervisor Firestone, Supervisor Centeno and Supervisor Gray.

Noes: 2 - Supervisor Carbajal and Supervisor Wolf

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

HEARING TIME: 10:55 A.M. - 11:45 A.M. (50 MIN.)

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

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

a) Read title, waive reading of ordinance in it's entirety. Introduction (first reading) approved; second reading (adoption) set for September 25, 2007 in Santa Maria.

b) Set for September 25, 2007 in Santa Maria.

The motion failed by the following vote:

Ayes: 2 - Supervisor Gray and Supervisor Centeno

Noes: 3 - Supervisor Firestone, Supervisor Carbajal and Supervisor Wolf

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

a) Read title, waive reading of ordinance in it's entirety. Introduction (first reading) approved as amended; second reading (adoption) set for September 25, 2007 in Santa Maria.

Directed staff to amend Section 29-50(b)1 to read as follows:

"Whenever necessary to make an inspection to enforce any provision of this article, or whenever the Public Works Director has cause to believe that there exists, or potentially exists, or has occurred in or upon any premise any condition which constitutes a violation of this article, the Director may enter such premises at all reasonable times, provided prior notice has been given to the responsible party, to inspect the same to determine compliance with regulations governing storm water."

Further directed staff to return to the Board with a yearly status report.

b) Set for September 25, 2007 in Santa Maria.

The motion passed by the following vote:

Ayes: 3 - Supervisor Firestone, Supervisor Gray and Supervisor Centeno

Noes: 2 - Supervisor Carbajal and Supervisor Wolf

ACTION SUMMARY ADDENDUM:**Departmental Item No. 3) is amended as follows:**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

HEARING TIME: 11:45 A.M. - 12:38 P.M. (53 MIN.)

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

Received and filed staff presentation and conducted public hearing.

- a) **Denied.**
- b) **Adopted.**
- c) **Accepted.**
- d) **Granted.**

The motion carried unanimously.

Adjourned at 12:39 PM

**The Board adjourned the meeting of September 11, 2007 in Honor of
Smiley Wilkins of Lompoc.**

Adjourned to

September 18, 2007

County Administration Building

Board Hearing Room

105 East Anapamu Street , Fourth Floor

Santa Barbara

Announcements

<http://www.countyofsb.org>