
ACTION SUMMARY

May 01, 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

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

CONVENED AT 9:08 A.M.

Roll Call

Present: Supervisor Firestone, Supervisor Gray and Supervisor Centeno

Absent: Supervisor Carbajal and Supervisor Wolf

Pledge of Allegiance**Report from Closed Session**

No reportable action taken.

COUNTY COUNSEL

[File Reference No. 07-00428](#)

Items to be discussed in closed session.

Approval of Minutes of the April 24, 2007 meeting

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

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

Administrative Agenda**Resolutions to be Presented at 9:00 A.M.**A-1) SUPERVISOR GRAY

[File Reference No. 07-00383](#)

Adopt a Resolution of Appreciation honoring Sheriff Commander Bill Byrne for his dedicated service to the citizens of North County.

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

RESOLUTION NO. 07-098

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-2) SUPERVISOR GRAY [File Reference No. 07-00425](#)

Adopt a Resolution of Commendation honoring Phillip M. Demery for his 24 years of dedicated service to the County of Santa Barbara.

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

RESOLUTION NO. 07-099

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

Resolutions to be Presented at 11:45 A.M.A-3) SUPERVISOR CARBAJAL [File Reference No. 07-00401](#)

Adopt a Resolution proclaiming the day of May 6, 2007 as National Nurses Day and the week of May 6-12, 2007 as National Nurse Week.

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

RESOLUTION NO. 07-100

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-4) SUPERVISOR CARBAJAL [File Reference No. 07-00406](#)

Adopt a Resolution of Commendation honoring Dick Thielscher for his dedicated service on the Montecito Planning Commission.

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

RESOLUTION NO. 07-101

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-5) SUPERVISOR CARBAJAL [File Reference No. 07-00416](#)

Adopt a Resolution of Commendation honoring Greg Mohr upon his retirement after 28 years of dedicated service to the Planning and Development Department of the County of Santa Barbara.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: May 15, 2007 in Santa Barbara. The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-6) SUPERVISOR CENTENO and SUPERVISOR GRAY[File Reference No. 07-00421](#)

Adopt a Resolution proclaiming May 6-12, 2007 as Elks Youth Week in Santa Barbara County.

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

RESOLUTION NO. 07-102

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

Honorary ResolutionsA-7) SUPERVISOR CARBAJAL and SUPERVISOR WOLF[File Reference No. 07-00417](#)

Adopt a Resolution proclaiming May as Water Awareness Month in Santa Barbara County.

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

RESOLUTION NO. 07-103

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-8) SUPERVISOR CARBAJAL[File Reference No. 07-00418](#)

Adopt a Resolution celebrating the Grand Reopening of the West Side Boys and Girls Club Community Center.

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

RESOLUTION NO. 07-104

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-9) SUPERVISOR WOLF [File Reference No. 07-00422](#)

Adopt a Resolution honoring Carole and Bill Marks for outstanding community service.

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

RESOLUTION NO. 07-105

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-10) SUPERVISOR WOLF [File Reference No. 07-00423](#)

Adopt a Resolution honoring Jan and Don Dowd for outstanding community service.

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

RESOLUTION NO. 07-106

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

Administrative Items

A-11) AGRICULTURAL COMMISSIONER [File Reference No. 07-00402](#)

Approve the appointment of the following persons to the Agricultural Advisory Committee:

Name - Nominated By

Grant Cremers - Central Coast Wine Grower's Association

Sam Frye - Santa Barbara County Farm Bureau

Approve the appointment of the following persons as Alternates to the Agricultural Advisory Committee:

Name - Nominated By

Tammy Menane - Central Coast Wine Grower's Association

Paul Van Leer - Santa Barbara County Farm Bureau

Andy Mills - Santa Barbara County Cattlemen's Association

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Approved. The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-12) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 07-00394](#)

Consider recommendations regarding a Permanent Easement; APN 061-273-003, Second District, as follows: (4/5 vote required)

a) Approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines regarding the proposed acceptance of an easement crossing a portion of the parcel known as APN 061-273-003, located at 4640 Vieja Drive in the unincorporated area of the County known as Goleta; and

b) Accept a Permanent Easement from Layman Property Management LLC, owner of the above referenced property by authorizing the Clerk of the Board to sign the Certificate of Acceptance.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: May 15, 2007 in Santa Barbara The motion carried by the following vote:

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

A-13) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 07-00395](#)

Approve and authorize the Chair to execute Amendment No. 2 to the Agreement for Cost Sharing Westside Storm Water Control Project with the City of Santa Barbara to define construction, ownership and maintenance responsibilities of the City's Westside Summer Urban Runoff Facility within the Westside Storm Drain system, First District.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Approved; Chair to Execute. The motion carried by the following vote:

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

A-14) BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 07-00396](#)

Approve and authorize the Chair to execute the "Subdivider's Agreement to Construct and Maintain Private Drainage Improvement and Private Drainage & Maintenance Easements" with Mockingbird Ventures, LLC, owners of Hacienda Vieja, Tract 14,595, APN: 065-240-019, Second District.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Approved; Chair to Execute. The motion carried by the following vote:

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

A-15) GENERAL SERVICES[File Reference No. 07-00400](#)

Consider recommendations regarding the Burton Mesa Public Safety Center, Project 8657 Contract Award, as follows:

- a) Award a Fixed Price Construction Contract in the amount of \$3,855,000.00 to the lowest responsible bidder, Maino Construction Co. Inc. (not a local vendor) P.O. Box 1347, San Luis Obispo, 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 \$205,250.00 for this contract.

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

a) Approved.

b) Authorized.

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-16) HOUSING AND COMMUNITY DEVELOPMENT[File Reference No. 07-00405](#)

Consider recommendations regarding the subordination of Casa Esperanza Homeless Shelter Loan, Second District, as follows:

- a) Approve the subordination of the County's \$500,000 interest in an existing \$1,000,000 loan made in partnership with the City of Santa Barbara and its Redevelopment Agency for the homeless shelter located at 816 Cacique Street in Santa Barbara, to a refinanced loan from Business First National Bank; and
- b) Authorize the Chair of the Board of Supervisors to execute the subordination agreement, consistent with the terms and conditions.

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

a) Approved.

b) Authorized; Chair to Execute.

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-17) PARKS[File Reference No. 07-00403](#)

Consider recommendations regarding the Notice of Completion, Statement of Final Quantities for the Construction of Arroyo Burro Beach Parking Lot Overlay, Project No. D40026; Second District, as follows:

a) Review and approve the Statement of Final Quantities for this project by the contractor, General Pavement Management (not a local vendor), 240 Quail Court, Santa Paula, CA 93060 in the amount of \$116,589.00; and

b) Accept the Notice of Completion for the project.

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

a) Approved.

b) Accepted.

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-18) PARKS[File Reference No. 07-00404](#)

Consider recommendations regarding the construction of Greenwell Preserve Adaptive Re-Use and Seismic Retrofit Project No. DG0033; First District, as follows:

a) Approve plans and specifications for the project; and

b) Authorize the Chair to execute the construction contract in the amount of \$178,800.00 to the lowest responsible bidder, EJS Construction Inc. (a local vendor), 4191 Carpinteria Avenue, Suite 7, Carpinteria, CA 93013 subject to the provision of documents and certifications, as set forth in the plans and specifications applicable to the project and as required by law.

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

a) Approved.

b) Authorized; Chair to Execute.

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-19) PLANNING AND DEVELOPMENTFile Reference No. 07-00413

Receive and file the report on Emergency Permit 07EMP-00000-00001, approved on January 30, 2007 for construction of an 80-foot long boulder garden wall not to exceed 3 feet in height at the front of the property in the turn-around area, and construction of a retaining wall 256 feet in length, ranging from 3 feet to 7 feet in height along the side of the property to the south of the residence, 797 Ashley Road, APN 011-040-010, First District.

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

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-20) PROBATIONFile Reference No. 07-00397

Adopt a resolution authorizing the Chief Probation Officer to submit, sign, and accept the Juvenile Accountability Block Grant (JABG) in the amount of \$30,848 for the period July 1, 2007 to June 30, 2008 from the California Corrections Standards Authority (CSA).

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

RESOLUTION NO. 07-107

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-21) PROBATION[File Reference No. 07-00398](#)

Consider recommendations regarding the Application to Pursue Seventh Year Allocation Funding Under the Juvenile Justice Crime Prevention Act, as follows:

- a) Authorize the Chief Probation Officer, as your lead agent, to submit the Application for Approval to the Corrections Standards Authority in order to utilize seventh year funding in the amount of \$1,346,643 allocated to Santa Barbara County under the Juvenile Justice Crime Prevention Act (JJCPA), from July 1, 2007 through June 30, 2008;
- b) Adopt a resolution in support of Santa Barbara County's participation in the California Corrections Standards Authority Juvenile Justice Crime Prevention Act application for approval FY 2007/2008; and
- c) Assure that the county, if awarded funding, will adhere to the California Corrections Standards Authority's contract terms and statutory requirements, participate in the collection of the required data, and use grant funding to supplement and not supplant existing programs.

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

a) **Authorized.**

b) **Adopted.**

RESOLUTION NO. 07-108

c) **Approved.**

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-22) PUBLIC WORKS[File Reference No. 07-00410](#)

Adopt a resolution indicating the County's intent to accept the relinquishment of excess right-of-way from the California Department of Transportation for the Summerland Circulation & Parking Improvements Project No. 862118 (Phase I) on Ortega Hill Road and Lillie Avenue, First District.

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

RESOLUTION NO. 07-109

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-23) PUBLIC WORKS [File Reference No. 07-00411](#)

Accept a Notice of Completion for work performed by the Contractor, Mendez Concrete Inc. (not a local vendor), 1210 Santa Paula Street, Santa Paula, California 93060 for 2006-2007 Measure D, General Fund and Prop 42 Miscellaneous Concrete Repair, Project No. 820610, Second, Third and Fourth Districts.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Accepted. The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-24) PUBLIC WORKS [File Reference No. 07-00283](#)

Approve and authorize the Public Works Director or his designee to execute the Grant Agreement with the Agricultural Watershed Coalition in the amount of \$50,000 for educational tours developed under their Land to Sea Program for the period of March 27, 2007 through June 1, 2008.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Withdrawn from the agenda. The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-25) TREASURER-TAX COLLECTOR [File Reference No. 07-00426](#)

Consider recommendations regarding the Treasurer's Investment Pool, Fiscal Year 2006-2007 Third Quarter (January - March), as follows:

a) Accept for filing the F/Y 2006-2007 Third Quarter (January - March, 2007) report on the Treasurer's Investment Pool, pursuant to Government Code section 53646(b);

b) Approve the following member to the Treasury Oversight Committee, pursuant to Government Code Section 27132: Mr. Craig Geyer, Goleta Cemetery District, Special Districts Member; and

c) Receive and file the Auditor - Controller's Review Report on the assets held in the Santa Barbara County Treasurer's Pool for the quarter ended March 31, 2007.

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

a) **Accepted.**

b) **Approved.**

c) **Received and Filed.**

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

Board of Supervisors

A-26) SUPERVISOR CENTENO [File Reference No. 07-00424](#)

Approve the reappointment of Martin L. Mariscal to the Civil Service Commission, Fifth District.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Approved. The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

Hearing Requests

A-27) PLANNING AND DEVELOPMENT [File Reference No. 07-00329](#)

Set hearing at the request of Charles Porter, IJC, Inc., to consider recommendations regarding Case No. 06AGP-00000-00032, for nonrenewal of an existing agricultural preserve contract, as follows:

a) Accept the request for nonrenewal of Agricultural Preserve 76-AP-001; and

b) Execute the attached Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel No. 128-099-005, located approximately 1,700 feet northwest of the intersection of Betteravia and Philbric Roads, in the Santa Maria area, Fifth District. (SET ON ADMINISTRATIVE AGENDA)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: May 15, 2007 in Santa Barbara (EST. TIME: 2 MIN.) The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-28) PLANNING AND DEVELOPMENT [File Reference No. 07-00330](#)

Set hearing at the request of John Wickenden, agent for Wickenden Family Trust, to consider recommendations regarding Case No. 05AGP-00000-00019 for approval of an agricultural preserve replacement contract, as follows:

Approve and authorize the Chair to execute the new contract 05AGP-00000-00019 replacing a portion of the original Agricultural Preserve 70-AP-058. The replacement contract involves Assessor's Parcel No. 101-050-016 (portion of), located on the north side of Foxen Canyon Road, in the Santa Maria area, Fifth District. (SET ON ADMINISTRATIVE AGENDA)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: May 15, 2007 in Santa Barbara (TIME EST. 2 MIN.) The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-29) PLANNING AND DEVELOPMENT[File Reference No. 07-00331](#)

Set hearing at the request of John Wickenden, agent for Wickenden Family Trust, to consider recommendations regarding Case No. 05AGP-00000-00020 for approval of an agricultural preserve replacement contract, as follows:

Approve and authorize the Chair to execute the new contract 05AGP-00000-00020 replacing a portion of the original Agricultural Preserve 70-AP-058. The replacement contract involves Assessor's Parcel No. 101-050-016 (portion of), located on the north side of Foxen Canyon Road, in the Santa Maria area, Fifth District. (SET ON ADMINISTRATIVE AGENDA)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: May 15, 2007 in Santa Barbara (EST. TIME: 2 MIN.) The motion carried by the following vote:

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

A-30) PLANNING AND DEVELOPMENT[File Reference No. 07-00409](#)

Set hearing to consider the recommendations of the County and Montecito Planning Commissions regarding the Coastal Development Permit, Conditional Use Permit and Development Plan Process, as follows:

- a) Adopt findings for approval of the proposed ordinances;
- b) Find that adoption of these ordinances are categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) and Section 15625 of the Guidelines for Implementation of CEQA (Attachment B);
- c) Adopt an Ordinance (Case No. 07ORD-00000-00001) amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment C); and
- d) Adopt an Ordinance (Case No. 07ORD-00000-00002) amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code (Attachment D).

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: May 15, 2007 in Santa Barbara (EST. TIME: 30 MIN.) The motion carried by the following vote:

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

A-31) PLANNING AND DEVELOPMENTFile Reference No. 07-00420

Set hearing to 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:

- 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.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: June 19, 2007 in Santa Barbara (EST. TIME: 60 MIN.) The motion carried by the following vote:

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

A-32) PUBLIC WORKSFile Reference No. 07-00408

Set hearing to adopt a Resolution of Necessity for the acquisition of permanent easements for a roadway extension and related improvements on Hummel Drive, County Project No. 420195 on a portion of the following properties: Ernest K. and Ruby E. Treat (APN 107-290-39 & 107-270-14), Gloria R Riloquio (APN 107-290-007), Craig and Susan Smith, Trustees (APN 107-270-006), James B. and Natalie Mejia Albrecht (APN 107-290-009), and Jeffrey W. and Rhonda E. Cardinal (APN 107-290-005), Fourth District, (4/5 Vote Required).

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: May 22, 2007 in Santa Maria (EST. TIME: 60 MIN.) The motion carried by the following vote:

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

A-33) PUBLIC WORKS[File Reference No. 07-00412](#)

Set hearing to consider recommendations regarding the Sandyland 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:

- 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 Sandyland 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".

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: June 19, 2007 in Santa Barbara (EST. TIME: 60 MIN.) The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-34) PUBLIC WORKS[File Reference No. 07-00414](#)

Consider recommendations regarding County Service Area 3, County Service Area 31 and North County Lighting District, Street lighting Benefit Assessment for Fiscal Year 2007-2008, Second, Third, Fourth and Fifth Districts, as follows:

a) Receive and file a fixed Charge Fee Report for fiscal year 2007/2008 with the Clerk of the Board on May 1, 2007, which reports the proposed benefit assessment (no increases) for the following lighting districts:

1. County Service Area 3;
2. County Service Area 31; and
3. North County Lighting District

b) Adopt a resolution setting a public hearing on May 22, 2007 in connection with the street lighting districts listed above;

c) Approve a Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines;

d) Adopt a resolution establishing street lighting charges for the above subject lighting districts for the fiscal year 2007/2008.

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

a) Received and filed.

b) Adopted.

RESOLUTION NO. 07-110

c) Approved.

d) Set for a hearing, as follows:

May 22, 2007 in Santa Maria (EST. TIME: 5 MIN.)

The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-35) SUPERVISOR CARBAJAL[File Reference No. 07-00427](#)

Set hearing to receive and file an informational report on the Southern California Wetlands Recovery Project.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: May 15, 2007 in Santa Barbara (EST. TIME: 30 MIN.) The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

A-36) COUNTY EXECUTIVE OFFICE[File Reference No. 07-00415](#)

Approve Budget Revision Requests (SEE EXHIBIT A WITH POSTED AGENDA). (4/5 Vote Required).

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Approved. The motion carried by the following vote:

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

A-37) PLANNING AND DEVELOPMENT[File Reference No. 07-00429](#)

Set hearing at the request of Bob Easton, agent for the owner, Robert Largura, to consider the appeal of the Montecito Planning Commission's January 17, 2007 denial of the Largura New Single-Family Dwelling Project, Case Number 06LUP-00000-00349. The project involves APN 007-040-022, located at 2480 Bella Vista Drive in the Montecito Area, First District, as follows:

a) Adopt the required findings for denial of Case No. 06LUP-00000-00349, including CEQA findings, in the Montecito Planning Commission Staff Report dated November 15, 2006;

b) Deny the appeal, Case No. 06APL-00000-00023; and

c) Deny the project, Case No. 06LUP-00000-00349.

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: May 15, 2007 in Santa Barbara (EST. TIME: 90 MIN.) The motion carried by the following vote:

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

Approval of Administrative Agenda

HEARING TIME: 9:08 A.M. - 9:18 A.M. (10 MIN.)

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

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

[File Reference No. 07-00001](#)

PUBLIC COMMENT

HEARING TIME: 9:31 A.M. - 9:40 A.M. (9 MIN.)

This matter was Accepted Public Comment Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 03-282) (07-00001)

RE: County Planning and Development Procedures - Marlene Demery addressed the Board.

RE: Isla Vista Development - Florence Klein addressed the Board.

RE: County Employment - Dr. Robert Johns addressed the Board.

. The motion carried.

Departmental Agenda
Planning Items and Public Hearings

1) LEGISLATIVE PROGRAM COMMITTEE[File Reference No. 07-00419](#)

HEARING - Consider the adoption of a resolution supporting the amendment of the Government Code to protect mobile home park residents, including the support of Assembly Bill 1542 and Senate Bill 900 which would repeal Section 66427.5 of the Government Code to prevent the conversion of mobile-home parks to resident-owned condominiums or subdivisions. (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:35 A.M. - 10:58 A.M. (23 MIN.)

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

Received and filed staff report and conducted public hearing.

Adopted.

RESOLUTION NO. 07-111

Directed staff to prepare letters of support to members of the local legislative delegation and Governor Schwarzenegger's office.

The motion carried by the following vote:

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

2) EMPLOYEES' RETIREMENT SYSTEM[File Reference No. 07-00358](#)

HEARING - Consider the adoption (Second Reading) of an ordinance adopting Government Code Section 31725.5, allowing for a change of position in lieu of disability retirement allowance for members eligible to retire for non service-connected disability. (EST. TIME: 10 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 9:52 A.M. - 9:53 A.M. (1 MIN.)

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

Received and filed staff report and conducted public hearing.

Adopted.

ORDINANCE NO. 4642

The motion carried by the following vote:

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

3) PUBLIC WORKS [File Reference No. 07-00332](#)

HEARING - Consider the adoption of a resolution regarding County Service Area 12 (Mission Canyon Sewer District), relative to Septic Management Administration Charges on the Tax Roll, First District. (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 9:54 A.M. - 9:55 A.M. (1 MIN.)

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

Received and filed staff report and conducted public hearing.

Adopted.

RESOLUTION NO. 07-112

The motion carried by the following vote:

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

4) PUBLIC WORKS [File Reference No. 07-00333](#)

HEARING - Consider the adoption of a resolution establishing Sewer Connection Fees and Sewer service charges for County Service Area 12 (Mission Canyon Sewer District) and provide for collection on the Tax Rolls for Fiscal Year 2007/2008. (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 9:56 A.M. - 10:10 A.M. (14 MIN.)

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

Received and filed staff report and conducted public hearing.

RESOLUTION NO. 07-113

Directed staff to work with the city of Santa Barbara to explore alternative fee structures, billing responsibility and related issues as appropriate.

The motion carried by the following vote:

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

5) BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT

[File Reference No. 07-00336](#)

HEARING - Consider recommendations regarding the Laguna County Sanitation District Board Ordinance Adopting Service Charges, Connection Fees, and Trunk Line Fees and Resolution Relative to Collection of Service Charges on the Tax Roll, Fourth and Fifth Districts, as follows: (EST. TIME: 30 MIN.)

- a) Consider the introduction of an ordinance (first reading) amending Ordinance No. 3130 to revise service charges, connection fees and other related fees for the Laguna County Sanitation District;
- b) Receive and file with the Clerk of the Board a fixed charge report for fiscal year 2007/2008;
- c) Accept the exemption pursuant to Section 15273 (a) (1) - (4) of the State Guidelines for Implementation of the California Environmental Quality Act;
- d) Set hearing for May 22, 2007, as follows:
 - i) Consider the adoption of an ordinance (second reading) entitled "An Ordinance Amending Ordinance No. 3130," which revises service charges, connection fees and other related fees for the Laguna County Sanitation District; and
 - ii) Adopt a resolution relative to the collection of service charges on the tax rolls.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:13 A.M. - 10:22 A.M. (9 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Acted on and set for a hearing, as follows: Received and filed staff report and conducted public hearing.

- a) Read title, waived reading of the ordinance in it's entirety. Introduction approved.**
- b) Received and filed.**
- c) Accepted.**
- d) Adoption (second reading) set for May 22, 2007.**

The motion carried by the following vote:

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

6) PLANNING AND DEVELOPMENT[File Reference No. 07-00166](#)

HEARING - Consider an appeal filed by the applicant (Case No. 06APL-00000-00038) of the Montecito Planning Commission's September 20, 2006 decision to uphold the Planning and Development Department's denial of the proposed Franklin Veterinary Clinic (Case Nos. 05HOC-00000-00008 and 05APL-00000-00033) located at 1396 Greenworth Place, Montecito Area (APN 009-190-009), First District., as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Deny the appeal, Case No. 06APL-00000-00038, thereby upholding the Montecito Planning Commission's decision to uphold the Planning and Development Department's denial of the proposed Franklin Veterinary Clinic;
- b) Adopt the required findings for denial of the proposed veterinary practice specified in Attachment A of the Montecito Planning Commission action letter (Attachment C to this Board Letter), dated September 27, 2006; and
- c) Deny the proposed project, Case No. 05HOC-00000-00008.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

9:10 A.M. - 9:11 A.M. (1 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: June 5, 2007 in Santa Barbara (EST. TIME: 90 MIN.) The motion carried by the following vote:

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

Absent: 2 - Supervisor Carbajal and Supervisor Wolf

Adjourned at 12:08 P.M.**The Board of Supervisors Adjourned the Meeting of May 1, 2007 in
memory of Rex Marchbanks of Santa Barbara.**

Adjourn to May 15, 2007
County Administration Building
Board Hearing Room
105 East Anapamu Street, Fourth Floor
Santa Barbara

Announcements

The meeting of May 1, 2007, will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, May 3, 2007, at 5:00 PM on CSBTV Channel 20.
The Board of Supervisors will not meet on Tuesday, May 8, 2007. The next regular meeting will be Tuesday, May 15, 2007, in Santa Barbara.

<http://www.countyofsb.org>