
ACTION SUMMARY

November 18, 2008

**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

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CONVENED AT 9:03 A.M.

Roll Call

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

Pledge of Allegiance

Report from Closed Session

1) COUNTY COUNSEL

[File Reference No. 08-01071](#)

Closed Session Agenda

No reportable action taken.

Approval of Minutes of the November 4, 2008 Meeting

A motion was made by Supervisor Firestone, seconded by Supervisor Centeno, to Approve the Minutes. The motion carried unanimously.

Administrative Agenda

Resolutions to be Presented at 9:15 A.M.

A-1) SUPERVISOR CARBAJAL

[File Reference No. 08-01046](#)

Adopt a Resolution honoring the 50th Anniversary of the founding of AARP.

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

RESOLUTION NO. 08-394

The motion carried unanimously.

A-2) SUPERVISOR CARBAJAL

[File Reference No. 08-01053](#)

Adopt a Resolution proclaiming December 1, 2008 as World AIDS Day in Santa Barbara County.

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

RESOLUTION NO. 08-395

The motion carried unanimously.

A-3) SUPERVISOR CARBAJAL [File Reference No. 08-01069](#)

Adopt a Resolution proclaiming the month of November 2008 as National Methamphetamine Awareness Month in Santa Barbara County.

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

RESOLUTION NO. 08-396

The motion carried unanimously.

A-4) SUPERVISOR CENTENO [File Reference No. 08-01061](#)

Adopt a Resolution proclaiming the month of November 2008 to be National Court Adoption and Permanency Month in Santa Barbara County.

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

RESOLUTION NO. 08-397

The motion carried unanimously.

Honorary Resolutions

A-5) SUPERVISOR CARBAJAL [File Reference No. 08-01022](#)

Adopt a Resolution of Commendation honoring Arthur Najera as a recipient of the Santa Barbara Hispanic Achievement Council 2008 Achievement Award.

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

RESOLUTION NO. 08-398

The motion carried unanimously.

A-6) SUPERVISOR CARBAJAL [File Reference No. 08-01023](#)

Adopt a Resolution of Commendation honoring Anita Perez Ferguson as a recipient of the Santa Barbara Hispanic Achievement Council 2008 Achievement Award.

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

RESOLUTION NO. 08-399

The motion carried unanimously.

Administrative Items

A-7) AUDITOR-CONTROLLER [File Reference No. 08-01026](#)

Receive and file the Annual Financial Report of the Redevelopment Agency for the fiscal year ending June 30, 2008.

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

A-8) AUDITOR-CONTROLLER [File Reference No. 08-01037](#)

Accept for filing the Santa Barbara County Final Budget for Fiscal Year 2008-09.

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

A-9) AUDITOR-CONTROLLER [File Reference No. 08-01057](#)

Receive and file the Auditor-Controller's Report on the Statement of Assets of the Santa Barbara County Treasurer, as of September 30, 2008.

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

A-10) AUDITOR-CONTROLLER [File Reference No. 08-01058](#)

Consider recommendations regarding the Software Implementation and License Agreement, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute the Software Implementation and License Agreement with Simpler Systems, Inc., (a local vendor), for the period of November 18, 2008 through October 31, 2010 in an amount not to exceed \$100,000; and

b) Approve the Budget Revision Request and BJE 2007589 releasing Auditor-Controller automation designation to cover contract costs.

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

a) Approved; Chair to execute.

b) Approved.

The motion carried unanimously.

A-11) COUNTY COUNSEL [File Reference No. 08-01063](#)

Approve and authorize the Chair to execute the amended contract with the law firm of Hooper, Lundy and Bookman to help negotiate terms for medical and medicare reimbursements due to state and federal agencies for the period of July 19, 2007 through July 19, 2009 in an amount not to exceed \$250,000.

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

- A-12) COUNTY EXECUTIVE OFFICE and OFFICE OF EMERGENCY SERVICES [File Reference No. 08-01029](#)
- Consider recommendations regarding a donation of radiological instruments from State OES-Radiological Preparedness Unit, as follows:
- a) Accept approximately \$143,871 in emergency radiological monitoring equipment from the Governor's Office of Emergency Services; and
 - b) Authorize the Emergency Operations Chief to execute agreements with Operational Area jurisdictions and cooperating agencies to place the equipment strategically within the Operational Area to be consistent with various emergency operation plans.
- A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Acted on as follows:**
- a) **Accepted.**
 - b) **Authorized.**
- The motion carried unanimously.**
- A-13) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01033](#)
- Consider co-sponsoring the 2008 Toys for Tots Campaign and the Christmas Unity Food Drive for Santa Barbara County Employees.
- [Play Video](#)
- A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**
- A-14) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01060](#)
- Accept a report on the evaluation of the status of foreclosed properties.
- A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Accepted. The motion carried unanimously.**
- A-15) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01067](#)
- Approve Budget Revision Requests (SEE EXHIBIT A WITH POSTED AGENDA). (4/5 Vote Required).
- A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**
- A-16) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 08-01024](#)
- Approve the renewal of the Pacificare Secure Horizons HMO Health Plans for County of Santa Barbara retirees, effective January 1, 2009, for a one-year term and authorize the Assistant CEO/Human Resources Director to execute any necessary documents.
- A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**

A-17) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[File Reference No. 08-01030](#)

Adopt a Resolution, effective December 1, 2008 to exempt one Administrative Professional, Position No. 2371 of the General Services Department, from the Civil Service System. (4/5 Vote Required)

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

RESOLUTION NO. 08-400

The motion carried unanimously.

A-18) GENERAL SERVICES[File Reference No. 08-00854](#)

Consider recommendations regarding the creation and acceptance of a Conservation Easement for the Lompoc Fire Station property, APN 097-380-043, Fourth District, as follows:

- a) Accept and file the Memorandum from the County's Planning and Development Department regarding permitted uses of the proposed Conservation Easement Area on the Fire Station 51 property in Lompoc;
- b) Adopt the Resolution making certain findings required by California Government Code Section 51056 to create and accept a 4.6 acre Conservation Easement on the 15.35 acre Fire Station 51 property, and approving and accepting the creation of the Conservation Easement;
- c) Approve and authorize the Chair to execute the Declaration of Covenants, Conditions and Environmental Restrictions (Conservation Easement) creating a Conservation Easement on a 4.6 acre portion of the County-owned Fire Station 51 property located at the intersection of Burton Mesa and Harris Grade Roads in the unincorporated area of Lompoc Valley; and
- d) Accept the title to the Conservation Easement by authorizing the Clerk of the Board to execute the Certificate of Acceptance attached to the Conservation Easement.

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

a) Accepted.

b) Adopted.

RESOLUTION NO. 08-401

c) Approved; Chair to execute.

d) Accepted.

The motion carried unanimously.

A-19) GENERAL SERVICES [File Reference No. 08-01034](#)

Consider recommendations regarding the Superior Court Remodel, Construction Contract Amendment No. 3, 118 E. Figueroa St., Santa Barbara, Project No. F01008/8560, First District, as follows:

a) Approve and authorize the Chair to execute Amendment No. 3 to the contract with Lack Construction, Inc. for the Superior Court Remodel in the amount of \$121,192, for a total contract amount of \$1,381,403.32; and

b) Accept the Notice of Completion for the remodel work performed by Lack Construction, Inc., located at 420 E. Carrillo St., Santa Barbara, California.

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

a) **Approved; Chair to execute.**

b) **Accepted.**

The motion carried unanimously.

A-20) GENERAL SERVICES [File Reference No. 08-01035](#)

Approve and authorize the Chair to execute the Second Addendum to the Access and Use Agreement. The original Access and Use Agreement is dated July 27, 2004 and is between the County of Santa Barbara and Water Applications and Systems Corporation (WASCO) for the purpose of allowing WASCO to install one additional ground water remediation well on the County's Santa Barbara Garden Street parking lot.

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

A-21) GENERAL SERVICES [File Reference No. 08-01036](#)

Approve and authorize the Chair to execute the Supplemental Evacuation Agreement No. 3 (SPCVAN-1-93-0006) on Jalama Beach County Park, Ocean Beach County Park, Point Sal Road, and Surf Station Parking Lot, between the County of Santa Barbara and the United States Air Force extending the term of the existing Evacuation Agreement through November 30, 2012. All other terms of the Agreement shall be and remain the same, Third and Fourth Districts.

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

A-22) GENERAL SERVICES [File Reference No. 08-01065](#)

Approve the appointment of Luci Rogers, Assistant Director of General Services, to represent the County of Santa Barbara as Director to the Board of Directors of the California State Association of Counties - Excess Insurance Authority (CSAC-EIA).

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

A-23) GENERAL SERVICES[File Reference No. 08-01066](#)

Consider recommendations regarding the formation of a Joint Powers Authority (JPA) for the purpose of pooling self-insured seismic related losses for court buildings, as follows:

a) Approve and authorize the Chair to execute the Joint Powers Agreement creating the Earthquake Recovery Indemnity Authority (ERIA); and

b) In accordance with Article 7, Section (a) of the Agreement, appoint the General Services Director as the County's director to the board of the JPA, and appoint the General Liability Risk Program Administrator as the County's alternate director.

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

a) **Approved; Chair to execute.**

b) **Approved.**

The motion carried unanimously.

A-24) HOUSING AND COMMUNITY DEVELOPMENT[File Reference No. 08-01047](#)

Approve and authorize the Chair to execute a Forgivable Loan Agreement in the amount of \$12,000, with People's Self Help Housing Corporation for provision of services related to homeowner education, counseling and foreclosure prevention resulting from the home mortgage foreclosure issue affecting many current and would-be-homeowners throughout Santa Barbara County.

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

A-25) PLANNING AND DEVELOPMENT[File Reference No. 08-01043](#)

Approve and authorize the Chair to execute a contract for professional planning services with Thomas Figg relative to case processing of the Naples/ Santa Barbara Ranch Project. The contract would increase funding for the Santa Barbara Ranch project by \$100,000, for a total amount not to exceed \$200,000, and extend the term through December 31, 2009.

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Acted on as follows:

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

Continued to December 16, 2008 in Santa Maria.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Firestone

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

Directed staff to return as appropriate with a report regarding the County contracting process and associated protocols.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Firestone

A-26) PLANNING AND DEVELOPMENT[File Reference No. 08-01048](#)

Approve and authorize the Chair to execute a professional services contract with the consulting firm of Rincon Consultants (not a local vendor), for construction monitoring pursuant to an Environmental Quality Assurance Program (EQAP) for Westmont College Master Plan Phase I development for the period beginning November 18, 2008 and ending on December 31, 2011 in the amount of \$573,994, First District.

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

A-27) PUBLIC WORKS[File Reference No. 08-01028](#)

Consider recommendations regarding the Final Map of Tract No. 14,616 Addamo Winery/ Diamonte Estates, Fourth District, as follows:

a) Acknowledge that the requirement for the subdivider to post a certified check or cash in the amount of \$8,500 to guarantee the setting of the interior monumentation for Tract No. 14,616 as approved by the Board of Supervisors at their regular hearing of April 15, 2008 has been met (the Surveyor set the required monuments for the Tract which has been verified by the County Surveyor); and

b) Approve the Final Map of Tract No. 14,616.

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

a) and b) Approved.

The motion carried unanimously.

A-28) PUBLIC WORKS [File Reference No. 08-01042](#)

Approve and authorize the Chair to execute an agreement for Public Works Administration Services between the County of Santa Barbara and the City of Carpinteria.

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

A-29) PUBLIC WORKS [File Reference No. 08-01045](#)

Approve a Resolution in support of the County's application for funding from the Caltrans Bicycle Transportation Account (BTA), Fiscal Year 2009-2010, Fourth District.

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

RESOLUTION NO. 08-402

The motion carried unanimously.

A-30) PUBLIC WORKS and BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT [File Reference No. 08-01052](#)

Adopt a Resolution authorizing the Public Works Director or his designees to enter into the Memorandum of Understanding for Administration of Santa Barbara Countywide Proposition 50 Grant Funding and Reporting, and the Proposition 50 Integrated Regional Water Management Subgrant Agreement with the Santa Barbara County Water Agency. (4/5 Vote Required)

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

RESOLUTION NO. 08-403

The motion carried unanimously.

A-31) PUBLIC WORKS and BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 08-01050](#)

Approve and authorize the Chair to execute a letter to the US Army Corps of Engineers (Corps) giving conceptual approval to the assignment of a Flood Control easement to the City of Guadalupe and request the Corps approve the assignment, Fourth District.

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

A-32) PUBLIC WORKS and BOARD OF DIRECTORS, WATER AGENCY [File Reference No. 08-01049](#)

Consider recommendations regarding Proposition 50 Grant Funding for the Integrated Regional Water Management Plan (IRWMP) for Santa Barbara County, as follows: (4/5 vote required)

- a) Adopt a resolution entitled "A Resolution authorizing the Public Works Director or his designee to enter into Agreements to implement the Integrated Regional Water Management Plan (IRWMP) with the State of California to receive \$25,000,000 in Proposition 50 Grant Funding" and to enter into Subgrant Agreements and an MOU with the Project Proponents to identify the responsibilities of, and cost to, each agency;
- b) Approve and authorize the Chair to execute an agreement with Kennedy/Jenks Consultants (not a local vendor) in the amount not to exceed \$211,061 for the period of November 18, 2008 through February 28, 2010 to administer the Proposition 50 Grant to implement the IRWMP for Santa Barbara County; and
- c) Approve the attached Budget Revision Request (BJE No. 0000350) to receive \$9,075,000 in unanticipated revenue (\$9,035,000 from the State of California and \$40,000 from the Project Proponents) and to increase Professional Services in the amount of \$190,000.

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

- a) **Adopted.**

RESOLUTION NO. 08-404

- b) **Approved; Chair to execute.**

- c) **Approved.**

The motion carried unanimously.

A-33) PUBLIC WORKS and BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 08-01068](#)

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

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

A-34) SHERIFF [File Reference No. 08-01038](#)

Authorize the Purchasing Agent to procure duty ammunition for the Sheriff's Department without being required to conduct a formal bid process for the period ending June 30, 2011.

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

A-35) SHERIFF [File Reference No. 08-01039](#)

Accept a \$25,000 Abandoned Watercraft Abatement Fund (AWAF) grant from the State of California Department of Boating & Waterways for the period from October 1, 2008 through June 30, 2009.

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

A-36) TREASURER-TAX COLLECTOR [File Reference No. 08-01040](#)

Accept for filing the FY 2008-2009 First Quarter, July - September, 2008, report on the Treasurer's Investment Pool, pursuant to Government Code section 53646(b).

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

Board of Supervisors

A-37) SUPERVISOR GRAY [File Reference No. 08-01031](#)

Consider recommendations regarding the naming of the County Park located in the Rice Ranch Housing Development, Orcutt, Fourth District, as follows:

a) Approve the naming of the County Park located in the Rice Ranch Housing Development as the Orcutt Community Park; and

b) Forward to the Park Commission the list of names nominated for the park name with a recommendation that the Park's Commission designate various areas of the Park in honor of nominees.

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

a) and b) Approved.

The motion carried unanimously.

Hearing Requests

A-38) COUNTY EXECUTIVE OFFICE and PLANNING AND DEVELOPMENT [File Reference No. 08-01027](#)

Set hearing to receive a status report on inspections of the on-shore oil facilities program.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: January 13, 2009 in Santa Maria (EST. TIME: 45 MIN.) The motion carried unanimously.

A-39) COUNTY EXECUTIVE OFFICE[File Reference No. 08-01054](#)

Set hearing to consider recommendations regarding Discretionary Facility Projects tentatively approved for FY 2008-09, as follows:

- a) Receive a status update on certain capital improvement projects that are currently in the design phase; and
- b) Direct staff to proceed with these certain capital improvement projects as the Board determines appropriate.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: December 9, 2008 in Santa Barbara (EST. TIME: 45 MIN.) The motion carried unanimously.

A-40) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[File Reference No. 08-01025](#)

Set hearing to consider the adoption of a process for the Board of Supervisors' appointments to the Board of Retirement.

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A motion was made by Supervisor Wolf, seconded by Supervisor Centeno, that this matter be Set for a hearing, as follows: January 13, 2009 in Santa Maria (EST. TIME: 15 MIN.) The motion carried by the following vote:

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

Noes: 1 - Supervisor Firestone

A-41) GENERAL SERVICES[File Reference No. 08-01064](#)

Set hearing to adopt a Resolution of Necessity to acquire real property in fee simple interest for all the uses and purposes of beach access and beach use and any related public improvements on property identified as owned by Jean B. Saxby, APN 005-440-002, and Laura A. Maloney and Josephine F. Babcock, APN 005-440-003, in the incorporated area of the County of Santa Barbara, located on the ocean side of the Union Pacific Railroad Company's right of way, in the Santa Claus Lane area of the Carpinteria Valley, First District. (4/5 Vote Required)

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: December 9, 2008 in Santa Barbara (EST. TIME: 10 MIN.) The motion carried unanimously.

A-42) PLANNING AND DEVELOPMENT[File Reference No. 08-01055](#)

HEARING - Consider Case Nos. 08APL-00000-00036 & 08APL-00000-00037 for the Jean & Stan Harfinest & Citizens Planning Association Appeals of the Montecito Planning Commission's Approval of the Miramar Beach Resort and Bungalows Project, 07RVP-00000-00009, 07CUP-00000-00045, 07CUP-00000-00046, 07CUP 00000-00047, 08CUP-00000-00005; 08GOV-00000-00017 and 08CDP-00000-00054, First District, as follows: (EST. TIME: 3 HRS.)

- a) Deny the appeals;
- b) Adopt the required findings for the project contained in the October 8, 2008 Montecito Planning Commission Action Letter, as amended by the Errata dated November 20, 2008 including findings for the revised Development Plan and modifications to the ordinance standards for setbacks, height, and parking, including the CEQA findings. The October 8, 2008 Montecito Planning Commission Action Letter was included as Attachment A of the November 18, 2008 Board Set Hearing Letter;
- c) Certify the Subsequent Environmental Impact Report 08EIR-00000-00003 and approve the Addendum as amended by the Errata dated November 20, 2008 and adopt the mitigation monitoring program contained in the conditions of approval. The Subsequent Environmental Impact Report 08EIR-00000-00003 and Addendum were included as Attachment C of the November 18, 2008 Board Set Hearing Letter; and
- d) Grant de novo approval of the project, as amended by the Errata dated November 20, 2008 subject to the conditions included as Attachment C of the October 8, 2008 Montecito Planning Commission Action Letter. The October 8, 2008 Montecito Planning Commission Action Letter was included as Attachment A of the November 18, 2008 Board Set Hearing Letter.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION:

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: December 9, 2009 in Santa Barbara (EST. TIME: 180 MIN.) The motion carried unanimously.

A-43) PLANNING AND DEVELOPMENT[File Reference No. 08-01062](#)

Set hearing to consider the adoption of a fee ordinance for Planning and Development, Building and Safety Division, as follows:

- a) Consider the introduction (first reading) of an ordinance adjusting fees for Planning and Development Building and Safety Division and rescinding Ordinance No. 4684; and
- b) Set hearing for December 16, 2008 to consider the adoption (second reading) of the Building fee ordinance, to be effective 60 days from adoption.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: December 9, 2008 in Santa Barbara (EST. TIME: 15 MIN.) The motion carried unanimously.

A-44) PLANNING AND DEVELOPMENT[File Reference No. 08-01056](#)

Set hearing to receive a report on post-approval of the Santa Barbara Ranch Project and modify the Conditions of Approval to make various corrections and fully decouple coastal and inland segments of the project as directed by the Board, Third District.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: December 9, 2008 in Santa Barbara (EST. TIME: 15 MIN.) The motion carried unanimously.

A-45) PUBLIC WORKS [File Reference No. 08-01051](#)

Set hearing to consider recommendations regarding County Service Area 31 Streetlighting Benefit Assessment for Fiscal Year 2009-2010, Third District, as follows:

- a) Adopt a Resolution setting a public hearing on the departmental agenda for December 9, 2008 in connection with the street lighting districts listed below;
- b) Receive and file a fixed Charge Fee Report for fiscal year 2009-2010 with the Clerk of the Board, which reports the proposed benefit assessment for County Service Area 31, restoring the annual amount from \$8.00 to \$12.93;
- c) Approve Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines; and
- d) Adopt a Resolution to benefit assessment charges for County Service Area 31 for fiscal year 2009-2010.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: December 9, 2008 in Santa Barbara (EST. TIME: 15 MIN.) The motion carried unanimously.

A-46) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01070](#)

Set hearing to consider the adoption of the 2009 Board of Supervisors' schedule of meeting dates and locations.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: December 9, 2008 in Santa Barbara (EST. TIME: 15 MIN.) The motion carried unanimously.

Administrative ItemA-47) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 08-01059](#)

Approve and authorize the Chair to execute an Agreement for Professional Legal Services with Liebert Cassidy Whitmore for consulting, representational and legal services pertaining to employee relations matters on an hourly rate basis for the Fiscal Year 2008-2009.

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

X-AgendaX-1) SUPERVISOR CARBAJAL [File Reference No. 08-01072](#)

Direct the County Executive Officer to hire or designate an existing County staff ombudsman to assist County residents whose homes were lost or damaged in the Tea Fire and are in the rebuilding process.

HEARING TIME: 11:57 A.M. - 12:08 P.M. (11 MIN.)

Acted on as follows:

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

Approved consideration of X-Agenda request (4/5 Vote required).

The motion carried unanimously.

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

Authorized.

The motion carried unanimously.

X-2) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 08-01073](#)

Adopt an Urgency Ordinance amending Chapter 32 Article VIII, of the Santa Barbara County Code provisions regarding reassessment of property that has been damaged or destroyed by misfortune or calamity. (4/5 Vote Required)

HEARING TIME: 12:05 P.M. - 12:08 P.M. (3 MIN.)

Acted on as follows:

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

Approved consideration of X-Agenda request (4/5 Vote required).

The motion carried unanimously.

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

Adopted.

ORDINANCE NO. 4697

The motion carried unanimously.

Approval of Administrative Agenda

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HEARING TIME: 9:08 A.M. - 10:10 A.M. (62 MIN.)

Public Comment Period

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HEARING TIME: 10:11 A.M. - 10:40 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) (08-00001)

RE: County Human Resources/Hiring Practices - Dr. Robert L. Johns Addressed the Board.

RE: Laze-E-Daze Retirement Home in Santa Maria - Charles Huggines and JoAnn Brindley Addressed the Board.

RE: Cars are Basic - Scott Wentz Addressed the Board.

RE: Personal property issues - Socorro Cule Addressed the Board.

RE: County education / probation concerns - Kate Smith Addressed the Board.

RE: Low income County housing - Floyd Meyers Addressed the Board.

RE: Update on Ongoing Efforts to Restore the Lompoc Veterans Building - Fourth District Supervisor Joni Gray addressed the Board.

RE: County Recruitment for Director of Planning and Development and Fire Chief - Second District Supervisor Janet Wolf Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE[File Reference No. 08-00875](#)

HEARING - Consider recommendations regarding the intent to amend Chapter 2, Article XIV of the County Code, for purposes of Authorizing Appointment of Alternate Hearing Officers, as follows:
(EST. TIME: 15 MIN.)

a) Consider the introduction (first reading) of an Ordinance entitled, An Ordinance of the Board of Supervisors of the County of Santa Barbara Amending Chapter 2, Article XIV of the County Code, for the purposes of Authorizing Appointment of Alternate Hearing Officers; and

b) Set hearing for October 28, 2008 to consider the adoption (second reading) of the ordinance entitled, An Ordinance of the Board of Supervisors of the County of Santa Barbara Amending Chapter 2, Article XIV of the County Code, for the purposes of Authorizing Appointment of Alternate Hearing Officers.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 1/27/09

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HEARING TIME: 10:55 A.M. - 10:56 A.M. (1 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Continued, as follows:

January 27, 2009 in Santa Maria.

The motion carried unanimously.

2) PUBLIC WORKS[File Reference No. 08-00899](#)

HEARING - Adopt an Ordinance Amending Chapter 15A of the Santa Barbara County Code relating to Flood Plain Management Regulations, as follows: (EST. TIME: 5 MIN.)

a) Consider the adoption (second reading) of an ordinance entitled, An Ordinance Amending Chapter 15A, of the Santa Barbara County Code Relating to Flood Plain Management Regulations, and act as follows:

b) File a CEQA Notice of Exemption to Adopt an Ordinance entitled An Ordinance Amending Chapter 15A, of the Santa Barbara County Code Relating to Flood Plain Management Regulations.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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HEARING TIME: 12:11 P.M. - 12:12 P.M. (1 MIN.)

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

a) **Adopted.**

ORDINANCE NO. 4698

b) **Approved.**

The motion carried unanimously.

3) COUNTY EXECUTIVE OFFICE and OFFICE OF EMERGENCY SERVICES [File Reference No. 08-00858](#)

HEARING - Consider recommendations regarding the affirmation of the Proclamation of Emergency associated with the Gap Fire, recommended Proclamation termination, and Acknowledgement of NRCS Assistance, as follows: (EST. TIME: 15 MIN.)

- a) Adopt a Resolution reaffirming the ongoing existence of local emergency due to environmental impacts, response and recovery costs from the Gap Fire;
- b) Allow the Proclamation of Emergency to terminate on December 2, 2008 at 11:59 PM (local time);
- c) Receive a brief overview of mitigation measures taken to date; and
- d) Adopt a Resolution of Commendation Honoring the National Resources Conservation Service (NRCS) for their extraordinary service to the citizens of Santa Barbara County.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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HEARING TIME: 12:13 P.M. - 12:18 P.M. (5 MIN.)

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

a) **Adopted.**

RESOLUTION NO. 08-406

b) **Approved.**

c) **Received and filed report.**

d) **Adopted.**

RESOLUTION NO. 08-407

The motion carried unanimously.

- 4) SUPERVISOR CARBAJAL, SOCIAL SERVICES and ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 08-01010](#)

HEARING - Consider recommendations regarding the Methamphetamine Prevention Network (MPN) Report, as follows: (EST. TIME: 40 MIN.)

- a) Accept the report from the Methamphetamine Prevention Network;
- b) Endorse the transition of the MPN into the Substance Abuse Coordinating Council (SACC) that would address alcohol and drug problems that affect residents of Santa Barbara County, including methamphetamine. The MPN would transition and convene as the Substance Abuse Coordinating Council during 2009;
- c) Support the continuation of work started by the Meth Prevention Network under the newly formed Substance Abuse Coordinating Council to continue implementing strategies to combat methamphetamine, drug and alcohol abuse, which include:
 - i) Television/Coalition/County Media Campaign;
 - ii) County Data Project;
 - iii) Demonstration Project focused on treating parents and children;
 - iv) Drug Endangered Children Protocol and Coordination (DEC);
 - v) Drug Paraphernalia Law Enforcement - Operation Pipeline; and
 - vi) Endorsement of efforts to obtain grant and foundation funding to implement strategies;
- d) Encourage cities within the County to:
 - i) Designate a member of the City Council and/or appropriate staff to serve on the MPN's Leadership Council/Substance Abuse Coordinating Council; and
 - ii) Contribute resources to the MPN and local coalitions in support of their efforts; and
- e) Adopt a resolution proclaiming November 2008 as Methamphetamine Awareness Month in Santa Barbara County.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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HEARING TIME: 1:13 P.M. - 2:13 P.M. (60 MIN.)

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

Received and filed staff presentation and conducted public hearing.

- a) **Accepted.**
- b) **through d) Approved.**
- e) **Adopted.**

RESOLUTION NO. 08-396

Directed staff to return as appropriate with a report on all components of this program, including budget impacts to County.

The motion carried unanimously.

5) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 08-01012](#)

HEARING - Consider recommendations regarding the appointment of members of the Special District Board of Directors in lieu of election with vacancies, as follows: (EST. TIME: 10 MIN.)

- a) Appoint in lieu of election those candidates listed who have filed the required nomination documents;
- b) Consider the appointment in lieu of election the candidates recommended by the district listed; and
- c) Consider the appointment of qualified candidates for vacancies where there is no recommendation from the district.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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HEARING TIME: 12:19 P.M. - 12:24 P.M. (5 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) through c) Approved.

Directed staff to return on December 9, 2008 in Santa Barbara to consider the appointment of members where vacancies currently exist (Casmalia Community Service District - 1 opening for a 4 year term and Cuyama Community Service District - 1 opening for a 4 year term and 1 opening for a 2 year term). Appointments to be made based on a recruitment process.

The motion carried unanimously.

6) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01019](#)

HEARING - Receive a report on federal legislative issues, including an update on the status of projects and programs contained within the County's 2008 legislative platform. (EST TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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HEARING TIME: 12:25 P.M. -12:26 P.M. (1 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: December 9, 2008 in Santa Barbara. The motion carried unanimously.

7) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01020](#)

HEARING - Receive a report on the impacts of the Adopted Fiscal Year 2008-2009 State budget on County departments and operations. (EST. TIME: 40 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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HEARING TIME: 2:18 P.M. - 2:54 P.M. (36 MIN.)

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

Received and filed staff presentation and conducted public hearing.

The motion carried unanimously.

8) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 08-01018](#)

HEARING - Receive and file an update on the Alcohol, Drug and Mental Health Services Department. (EST. TIME: 1 HR.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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HEARING TIME: 2:55 P.M. - 3:50 P.M. (55 MIN.)

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

Received and filed staff presentation and conducted public hearing.

The motion carried unanimously.

9) COUNTY EXECUTIVE OFFICE [File Reference No. 08-00852](#)

HEARING - Consider recommendations regarding the Orcutt Planning Area Development Incentives, Fourth District, as follows: (EST. TIME: 15 MIN.)

a) Consider monetary incentives to offset AB 1600 impact fees for developing businesses in the Old Town Orcutt planning area;

b) Consider permit processing and offset AB 1600 incentives for the Evergreen Village Center; and

c) Provide direction to staff regarding any incentives to be granted and determine the source of funding as a backfill for any amounts granted.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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HEARING TIME: 3:51 P.M. - 3:58 P.M. (7 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Continued, as follows: December 16, 2008 in Santa Maria. (EST. TIME: 15 MIN.) The motion carried by the following vote:

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

Abstentions: 1 - Supervisor Firestone

10) COUNTY EXECUTIVE OFFICE and PLANNING AND DEVELOPMENT [File Reference No. 08-00917](#)

HEARING - Consider recommendations regarding the adoption of amendments to the Petroleum Code (Chapter 25 of the Santa Barbara County Code) addressing regulation of "High Risk" Operations and Operators, as follows: (EST. TIME: 5 MIN.)

- a) Consider the introduction (first reading) of the ordinance amending the Petroleum Code (Chapter 25 of the Santa Barbara County Code) addressing regulation of "High Risk" Operations and Operators; and
- b) Set a hearing for December 9, 2008 to consider the adoption (second reading) of an ordinance amending the Petroleum Code (Chapter 25 of the Santa Barbara County Code) to become effective 30 days from adoption.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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HEARING TIME: 4:03 P.M. - 4:05 P.M. (2 MIN.)

Acted on as follows:

Received staff presentation and conducted public hearing.

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

- a) Read title, waived reading of Ordinance as amended on page 9, paragraph 3, lines 1 & 3 "his" changed to "his/her" and remove double period from last line. Introduction approved; adoption (second reading) set for December 9, 2008.
- b) Set for December 9, 2008 in Santa Barbara.

Motion carried by the following vote:

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

Recused: 1 - Supervisor Firestone

Note: Third District Supervisor Firestone recused himself and did not participate in this matter.

11) PLANNING AND DEVELOPMENT[File Reference No. 08-00938](#)

HEARING - Consider the Request for a General Plan Amendment, Zoning Map Amendment, Tentative Parcel Map, and Development Plan to allow a twelve lot subdivision and the construction of ten detached townhomes and 21,990 square foot public park, located in the Vandenberg Village Area, Fourth District, as follows: (EST. TIME: 30 MIN.)

- a) Adopt the required findings for approval of the project, including CEQA findings;
- b) Consider and approve the Mitigated Negative Declaration No. 08NGD-00000-00011 and adopt the mitigation monitoring program contained in the conditions of approval;
- c) Adopt a Comprehensive Plan Amendment (Case No. 06GPA00000-00009) to change the Comprehensive Plan's land use designation of 2.35 acres from Recreation/Open Space to Residential-8.0 and to change the land use designation of 0.47 acres from Recreation/Open Space to Residential-1.8 for APN 097-730-021, amending the Santa Barbara County Comprehensive Plan Land Use Element, Lompoc Urban Area Land Use Designations;
- d) Adopt by Ordinance a Zoning Map Amendment Case Number 07RZN-00000-00009 for a Zoning Map Amendment to change the Land Use and Development Code's zone district for 2.35 acres from Recreation to Design Residential (DR-6), and to change the zone district for 0.47 acres from Recreation to Residential, single-family (20-R-1) for APN 097-730-021, amending the Inland Zoning Map for the Lompoc Urban Area Zones;
- e) Approve 07TRM-00000-00003 for a Tentative Tract Map in accordance with County Code Chapter 21 to subdivide a 2.82 acre site and create 12 new parcels: Lot Numbers 1, 2, and 10 at 2,368 s.f. each; Lot Numbers 3-9 at 2,952 s.f. each; Lot 11 at 74,637 s.f.; and Lot 12 at 20,478 s.f.; subject to the conditions; and
- f) Approve 07DVP-00000-00016 for a Development Plan under the provisions of the DR zone district and in compliance with Land Use Development Code section 35.82.080 to develop 10 two-story, residential units and a 21,990 square foot public park subject to the conditions.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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HEARING TIME: 4:13 P.M. - 4:24 P.M. (11 MIN.)

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

Received and filed staff presentation and conduction public hearing.

a) Adopted;

b) Approved;

c) Adopted;

RESOLUTION NO. 08-408

d) Adopted;

ORDINANCE NO. 4699

e) Approved; and

f) Approved with amendments, as follows:

1. Consistent use of descriptive term “passive recreation area”;
2. Passive recreation area to be maintained by Home Owners Association;
3. Three visitor parking spaces to be designated as “public parking spaces”.

The motion carried unanimously.

12) COUNTY EXECUTIVE OFFICE and OFFICE OF
EMERGENCY SERVICES

[File Reference No. 08-01041](#)

HEARING - Consider recommendations regarding the Tea Fire, as follows: (EST. TIME: 30 MIN.)

a) Receive and file a report on the status of the Tea Fire and related post recovery efforts; and

b) Adopt a Resolution ratifying the Proclamation of a Local Emergency related to the Tea Fire pursuant to Government Code Section 8630 and confirming the request to the Governor of California, by the Acting Director of Emergency Services, to proclaim the County of Santa Barbara to be in a State of Emergency.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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HEARING TIME: 10:57 A.M. - 11:56 A.M. (59 MIN.)

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

Received and filed a staff presentation and conducted public hearing.

a) Received.

b) Adopted.

RESOLUTION NO. 08-405

The motion carried unanimously.

Adjourned at 4:25 PM

The Board of Supervisors adjourned the meeting of November 18, 2008 in honor of Cpl. Aaron Allen, USMC, of Buellton, who died while serving in Iraq, Lawrence Huyck & Arlene Marie Hain of Lompoc.

Adjourned to

December 9, 2008

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

Announcements

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