

BOARD OF SUPERVISORS

County of Santa Barbara



First District - Salud Carbajal, Chair
Second District - Janet Wolf
Third District - Brooks Firestone
Fourth District - Joni Gray
Fifth District - Joseph Centeno, Vice Chair

AGENDA

Tuesday, September 2, 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

Persons may address the Board of Supervisors in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Betteravia Government Center, Board Hearing Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.

Board Meeting Procedures

The Board of Supervisors is the legislative body for the County of Santa Barbara. Persons are encouraged to attend and testify before the Board on any matter appearing on the agenda. Correspondence to the Board regarding items appearing on the agenda should be directed to the Clerk of the Board, 105 East Anapamu Street, Room 407, Santa Barbara CA 93101. For information regarding the meetings of the Board of Supervisors including specific meeting times contact the Clerk of the Board at (805) 568-2240. Procedures for the conduct of the meetings of the Board of Supervisors can be found in Board Resolutions 03-282 (General) and 91-333 (Land Use).

The schedule of the Board of Supervisors, meeting agendas, supplemental hearing materials and minutes of the Board meetings are available on the Internet at: www.countyofsb.org

Board Meetings are televised live on County of Santa Barbara TV channel 20. For information about obtaining a videotape of a public hearing or a schedule of CSBTV broadcasts please call (805) 568-3427.

Late Distribution

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to all or a majority of the members of the Board of Supervisors less than 72 hours prior to that meeting are available for inspection in the Clerk of the Board Office, 105 East Anapamu Street, Room 407, Santa Barbara, CA, at the Office of the Board of Supervisors, Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, CA and on the Internet at: <http://bos-agenda.sbcgov.net/calendar/#current>.

Disability Access

The Board of Supervisors Hearing Room in Santa Barbara is located on the Fourth Floor of the County Administration Building, 105 East Anapamu Street. The Hearing Room is wheelchair accessible. Accessible public parking is available behind the County Administration Building and in City Parking Lot #6 located at the corner of Anacapa Street and Anapamu Street.

The Board of Supervisors Hearing Room in Santa Maria is located at the Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria. The Hearing Room is wheelchair accessible. Accessible public parking is available at the Betteravia Government Center.

American Sign Language interpreters, Spanish language interpretation and sound enhancement equipment may be arranged by contacting the Clerk of the Board of Supervisors by 4:00 p.m. on Friday before the Board meeting. For information about these services please contact the Clerk of the Board at (805) 568-2240.

Closed Session

The Board of Supervisors conducts a Closed Session every Tuesday between 8:00 A.M. and 9:00 A.M. and between 1:00 P.M. and 2:00 P.M. as necessary. Closed Sessions are not open to the public. Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Actions taken by the Board during Closed Session will be announced during open session (Gov. Code Sections 54957.1(a) & (b), Ralph M. Brown Act). The Closed Session agenda is posted as an addendum to the Board's agenda each Friday in the Office of the Clerk of the Board. For information related to Closed Session announcements please contact County Counsel at (805) 568-2950.

7:50 A.M. Convene and Recess to Closed Session**9:00 A.M. Reconvene to Regular Session****Roll Call****Pledge of Allegiance****Report from Closed Session**COUNTY COUNSEL[File Reference No. 08-00801](#)

Closed Session Agenda

Approval of Minutes of the August 26, 2008 meeting**Administrative Agenda**

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

Resolutions to be Presented at 9:15 A.M.A-1) SUPERVISOR CARBAJAL[File Reference No. 08-00782](#)

Adopt a Resolution of Commendation honoring Toni Lorien, Deputy County Counsel, as the September 2008 Santa Barbara County Employee of the Month.

A-2) SUPERVISOR CARBAJAL[File Reference No. 08-00794](#)

Adopt a Resolution proclaiming September 2008 as National Alcohol and Drug Addiction Recovery Month in Santa Barbara County.

Honorary ResolutionsA-3) SUPERVISOR CARBAJAL[File Reference No. 08-00795](#)

Adopt a Resolution proclaiming September 21-27, 2008 as Sea Otter Awareness Week in Santa Barbara County.

A-4) SUPERVISOR CARBAJAL[File Reference No. 08-00796](#)

Adopt a Resolution honoring the Carpinteria Education Foundation for 15 years of dedicated services to the residents of Carpinteria.

Administrative ItemsA-5) COUNTY EXECUTIVE OFFICE and OFFICE OF
EMERGENCY SERVICES[File Reference No. 08-00789](#)

Adopt a resolution to reaffirm the ongoing existence of a local emergency due to environmental impacts, response and recovery costs from the Gap Fire.

A-6) GENERAL SERVICES [File Reference No. 08-00790](#)

Approve and authorize the Chair to execute modifications to Board Contract BC 06-046 for downtown janitorial services with Santa Barbara Service Master (a local vendor) to bring it into conformance with recent SB 1732 Court transfer agreements, extend the period of performance to June 30, 2009 and grant a 3% cost increase to the vendor.

A-7) GENERAL SERVICES [File Reference No. 08-00791](#)

Consider recommendations regarding the Orcutt Storm Drain Easement Agreement with Alvin John Dias and Laura Lee Felicita Dias and with Eric Dias and Lisa Dias, Fourth District, as follows:

a) Approve and authorize the Chair to execute the Easement Agreement between the County of Santa Barbara and Alvin John Dias and Laura Lee Felicita Dias who are the owners of that property located at 153 East Clark Avenue, in the town of Orcutt, CA, APN 105-073-009, for the purpose of modifying the previous Right of Way Grant for storm drains; and

b) Approve and authorize the Chair to execute the Easement Agreement between the County of Santa Barbara and Eric Dias and Lisa Dias who are the owners of that property located at 155 East Clark Avenue, in the town of Orcutt, CA, APN 105-073-008, for the purpose of modifying the previous Right of Way Grant for storm drains.

A-8) GENERAL SERVICES [File Reference No. 08-00793](#)

Consider recommendations regarding a Real Property Purchase Contract and Escrow Instructions for the Tepusquet Low Water Crossing, Project No. 862249, Fifth District, as follows:

a) Approve and authorize the Chair to execute the Real Property Purchase Contract and Escrow Instructions between the County of Santa Barbara and Riverbench LLC, owners of APN 129-210-31 for the purpose of acquiring a public road easement in connection with the Tepusquet Road Low Water Crossing project, in the amount of compensation of \$69,500.00; and

b) Approve and authorize the Chair to execute the Real Property Purchase Contract and Escrow Instructions between the County of Santa Barbara and Union Asphalt Inc., owners of APN 129-220-24 for the purpose of acquiring a public road easement in connection with the Tepusquet Road Low Water Crossing project, in the amount of compensation of \$4,200.00.

A-9) PLANNING AND DEVELOPMENT [File Reference No. 08-00785](#)

Consider recommendations regarding the formation and appointment of members of the Goleta Valley Planning Advisory Committee (GVPAC), as follows:

a) Adopt a resolution in the matter of Approving Formation of the GVPAC and apply the provisions included in the Guidelines for General Plan Advisory Committees, as may be amended, including compliance with the Ralph M. Brown Act governing open meetings for local government bodies, to the administration of the GVPAC for the duration of the appointment; and

b) Approve the appointments of the following seven (7) members, as nominated by the Second District Supervisor, to serve on the GVPAC for terms ending December 31, 2010:

- i) Edwin (Ted) Adams
- ii) Thomas Elliott

- iii) Kenan Ezal
- iv) Bonnie Freeman
- v) Kenneth Mineau
- vi) Valerie Olson
- vii) Kimberly True

A-10) SHERIFF [File Reference No. 08-00779](#)
Approve and authorize the Chair to execute an Application for the Destruction of Records of all accounting records, from 1993 to 1999 and July 1, 2002 through June 30, 2004, no longer required by law to be retained. (4/5 Vote Required)

A-11) SHERIFF [File Reference No. 08-00780](#)
Approve and authorize the Chair to execute a revenue sharing agreement with Allen Hancock College for mandated and non-mandated training for the period of July 1, 2008 through June 30, 2009.

Board of Supervisors

A-12) SUPERVISOR GRAY [File Reference No. 08-00781](#)
Approve the appointment of Ronald F. Bettencourt to the North County Board of Architectural Review for a term ending December 31, 2008, Fourth District.

A-13) SUPERVISOR CENTENO [File Reference No. 08-00797](#)
Approve the reappointment of Vicki V. Book to the Human Services Commission for a term ending June 30, 2011, Fifth District.

Hearing Requests

A-14) PLANNING AND DEVELOPMENT [File Reference No. 08-00784](#)
Set hearing to receive a report on a proposed enabling ordinance for transferring development rights (TDR) at Santa Barbara Ranch, as follows:

- a) Adopt a TDR Ordinance as recommended by the Planning Commission along with findings in support thereof; and
- b) Endorse designation of a non-government organization (NGO) to serve as the TDR administrative authority and direct staff to commence recruitment of such an entity.
(Set Hearing for 9/16/2008. Time estimate 120 minutes.)

A-15) PLANNING AND DEVELOPMENT [File Reference No. 08-00786](#)
Set hearing to adopt a resolution to initiate environmental review for the Draft Mission Canyon Community Plan, Residential Design Guidelines, and Land Use and Development Code Amendments.
(Set Hearing for 10/7/2008. Time estimate 120 minutes.)

A-16) PLANNING AND DEVELOPMENT [File Reference No. 08-00792](#)
Set hearing to consider a technical amendment to the 2003-2008 Santa Barbara County General Plan Housing Element to reflect the residential development capacity made available through the Board's

approval of the Isla Vista Master Plan (IVMP) on August 21, 2007, as follows:

- a) Adopt an Addendum to the 2003-2008 Housing Element Negative Declaration (04NGD-00000-00004) and related CEQA Findings;
- b) Receive a staff presentation, a Planning Commission Action Letter, and a Planning Commission Resolution regarding a Board of Supervisors action to adopt a technical amendment to the General Plan Housing Element;
- c) Receive a letter dated July 16, 2008 from the California State Department of Housing and Community Development directing the County of Santa Barbara to amend its General Plan Housing Element by September 15, 2008 to reflect the potential capacity in the IVMP and concurrently proceed with a rezone program to select sites necessary to meet its remaining unmet Regional Housing Needs Assessment (RHNA) for lower income households; and
- d) Adopt a Resolution amending the 2003-2008 General Plan Housing Element by inserting a new section to the 2003-2008 General Plan Housing Element entitled Section VII, Isla Vista Master Plan Land Inventory and Housing Capacity and a new subsection to the 2003-2008 General Plan Housing Element Appendices entitled Appendix E1.

A-17) COUNTY EXECUTIVE OFFICE

[File Reference No. 08-00799](#)

Set hearing to consider the response to the Civil Grand Jury Report entitled "Leadership Project: A Good Plan in Need of Transparency.", as follows:

- a) Adopt the response as the Board of Supervisors' response to the 2007 - 2008 Civil Grand Jury Report entitled "Leadership Project: A Good Plan in Need of Transparency."; and
- b) Authorize the Chair to sign the letter forwarding the response to the Presiding Judge

ADDENDUM

Item A-18) is added to the Administrative Agenda, as follows:

A-18) COUNTY EXECUTIVE OFFICE

[File Reference No. 08-00820](#)

Receive and file a written report regarding Assembly Bill 1900 pertaining to the Maddy EMS Fund.

Approval of Administrative Agenda

Public Comment Period

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 03-282) (08-00001)

WHEN TESTIFYING BEFORE THE BOARD OF SUPERVISORS, PERSONAL ATTACKS AND OTHER DISRUPTIVE BEHAVIOR IS NOT APPROPRIATE.

Departmental Agenda
Planning Items and Public Hearings

- 1) COUNTY EXECUTIVE OFFICE and OFFICE OF EMERGENCY SERVICES [File Reference No. 08-00730](#)

HEARING - Receive a presentation on the projects and work identified in the Emergency Watershed Protection Plan.(EST. TIME: 1 HR.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

8/19/08 BOARD OF SUPERVISORS Acted on as follows:
a) Approve
b) Adopted.
RESOLUTION NO. 08-287
c) Authorized.
d) Approved.
e) Approved.
f) Set hearing for September 2, 2008 in Santa Barbara. (EST. TIME: 60 MIN.)

- 2) FIRE [File Reference No. 08-00263](#)

HEARING - Consider the recommendation regarding the Adoption/Amendment of the 2007 California Fire Code and Fee Update. (EST. TIME: 5 MIN.)

Consider the adoption (second reading) of an ordinance amending Chapter 15 of the Santa Barbara County Code to adopt the following:

- i) 2007 California Fire Code with amendments replacing the amended 2001 California Fire Code as the enforcement Code for the Santa Barbara County Fire Protection District; and
ii) Updated Fire Code fee schedule and approve the Notice of Exemption

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

3/25/08 BOARD OF SUPERVISORS Set for a hearing, as follows:
April 15, 2008 in Santa Barbara. (EST. TIME: 15 MIN.)
4/15/08 BOARD OF SUPERVISORS Continued, as follows:
May 13, 2008 in Santa Maria (EST. TIME: 30 MIN.)
5/13/08 BOARD OF SUPERVISORS Acted on as follows:

Received and filed staff presentation and conducted public hearing.

a) and b) No action taken.

Directed staff to send project to community stakeholders, including but not limited to, the Agricultural Advisory Commission, Santa Barbara Planning Commission and Montecito Planning Commission regarding proposed language and specific concerns of individual groups and continue to include concerns and requirements of County Fire.

Further directed staff to clearly explain specific concerns of Supervisors, such as:

Sprinkler requirements; explicit exemptions; appeal process; petroleum facilities operators fees; grading requirements; open burning fees; cost recovery fees; violations and legal implementations.

Staff to return to the Board as soon as possible with new draft language of an ordinance amending Chapter 15 of the Santa Barbara County Code.

6/17/08 BOARD OF SUPERVISORS

Continued, as follows:

Received and filed staff presentation and conducted public hearing.

Directed staff to return with amendments which compare and contrast proposed County modifications with California State Fire codes.

8/19/08 BOARD OF SUPERVISORS

a) through c) Continued to August 19, 2008 in Santa Barbara.

Acted on as follows:

a) i) and ii) Read title, waived reading of the ordinance in it's entirety.

Introduction approved amended as follows:

Directed staff to add to the Ordinance the specific exemption for greenhouses from the sprinkler requirement as reflected in the public hearing.

Adoption (second reading) set for September 2, 2008.

b) Set hearing for September 2, 2008 in Santa Barbara (EST. TIME: 5 MIN.)

3) COUNTY EXECUTIVE OFFICE

[File Reference No. 08-00738](#)

HEARING - Consider the response to the Civil Grand Jury report entitled, Anti-Gang efforts in the City of Santa Barbara, as follows: (EST. TIME: 10 MIN.)

a) Adopt the responses as the Board of Supervisors' responses to the 2007-08 Grand Jury Report entitled, Anti-Gang efforts in the City of Santa Barbara; and

b) Approve and authorize the Chair to execute the letter forwarding the responses to the Presiding Judge.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

8/19/08 BOARD OF SUPERVISORS

Set for a hearing, as follows:

September 2, 2008 in Santa Barbara (EST. TIME: 10 MIN.)

4) COUNTY EXECUTIVE OFFICE [File Reference No. 08-00775](#)

HEARING - Consider the response to the Civil Grand Jury Report entitled "Child Welfare Services: A System of Care that Lacks Stability", as follows: (EST. TIME: 10 MIN.)

- a) Adopt the responses as the Board of Supervisors' responses to the 2007-08 Grand Jury Report entitled "Child Welfare Services: A System of Care that Lacks Stability"; and
- b) Approve and authorize the Chair to execute the letter forwarding the responses to the Presiding Judge.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

8/26/08 BOARD OF SUPERVISORS Set for a hearing, as follows:
September 2, 2008 in Santa Barbara (EST. TIME: 10 MIN.)

5) PLANNING AND DEVELOPMENT, PUBLIC WORKS, PARKS and AGRICULTURAL COMMISSIONER [File Reference No. 08-00746](#)

HEARING - Approve and authorize the Chair to execute a Resolution revising the County's previous proposed list of projects for inclusion in the California Coastal Impact Assistance Plan, due to reductions in California's allocated funding. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

8/19/08 BOARD OF SUPERVISORS Set for a hearing, as follows:
September 2, 2008 in Santa Barbara (EST. TIME: 20 MIN.)

6) SHERIFF [File Reference No. 08-00686](#)

HEARING - Consider recommendations to take certain necessary actions to comply with conditions set by the Corrections Standards Authority (CSA) for award of Conditional Funding pursuant to the Assembly Bill 900 (AB 900) Construction of County Jails Grant Proposal, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Adopt a Resolution giving certain assurances for cooperation in the Central Coast Regional Secure Community Reentry Facility (CCRSCRF) between the Counties of San Luis Obispo, San Benito, and Santa Barbara with a planned location in the City of Paso Robles, in the County of San Luis Obispo, as follows:

Agrees to cooperate with the California Department of Corrections and Rehabilitation (CDCR) in the Central Coast Regional Secure Community Reentry Facility (CCRSCRF) sited in the County of San Luis Obispo with the Counties of San Luis Obispo and San Benito, and the City of Paso Robles;

Assures that the reentry facility will be located adjacent to the Estrella Correctional Facility, in the City of Paso Robles, in the County of San Luis Obispo;

Assures that a Reentry Planning Team has been established in the County of Santa Barbara that will operate in conjunction with those planning teams already established in San Benito County and San Luis Obispo County as a CCRSCRF Planning Team; and

Assures the City of Paso Robles and County of San Luis Obispo to transport released parolees destined for Santa Barbara County directly from the CCRSCRF (from the City of Paso Robles within the County of San Luis Obispo, and returning them to the County of Santa Barbara) without expense to the County of San Luis or the City of Paso Robles;

b) Approve and authorize the Chair to execute the Central Coast Regional Secure Community Reentry Program Facility Siting Agreement for a Regional Secure Community Reentry Facility (CCRSCRF) between the Counties of Santa Barbara, San Benito, and San Luis Obispo, and the California Department of Corrections and Rehabilitation (CDCR); and

c) Set hearing for September 9, 2008 (Time Estimate: 1 hour) to consider responses to questions from the Board of Supervisors from the September 2, 2008 hearing, and provide any additional feedback data that may be required to authorize the Siting Agreement.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

7/15/08 BOARD OF SUPERVISORS Set for a hearing, as follows:
August 19, 2008 in Santa Barbara (EST. TIME: 60 MIN.)

8/19/08 BOARD OF SUPERVISORS Acted on as follows:
a) Adopted.
RESOLUTION NO. 08-291
b) Hearing set for September 2, 2008 in Santa Barbara (EST. TIME: 1HR. 30 MIN.)
c) Hearing set for September 9, 2008 in Santa Maria (EST. TIME: 1 HR.)

Adjourn to

September 9, 2008

Betteravia Government Center

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

IF YOU CHALLENGE A DETERMINATION MADE ON A MATTER ON THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE BOARD OF SUPERVISORS AT, OR PRIOR TO, THE PUBLIC HEARING.

Announcements

The meeting of Tuesday, September 2, 2008 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, September 4, 2008, at 5:00 PM and on Saturday, September 6, 2008 at 10:00 AM on CSBTB Channel 20.

<http://www.countyofsb.org>