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## **ACTION SUMMARY**

**September 02, 2008**

**COUNTY ADMINISTRATION BUILDING  
BOARD HEARING ROOM, FOURTH FLOOR  
105 EAST ANAPAMU STREET, SANTA BARBARA**

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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.

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**7:50 A.M. .... Convened and Recessed to Closed Session**

**9:00 A.M. .... Reconvened to Regular Session**

*Convened at 9:10 A.M.*

**Roll Call**

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

**Pledge of Allegiance**

**Report from Closed Session**

COUNTY COUNSEL

[File Reference No. 08-00801](#)

Closed Session Agenda

No reportable action taken.

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

A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, 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. 08-00782](#)

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

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

**RESOLUTION NO. 08-297**

The motion carried unanimously.

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.

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

**RESOLUTION NO. 08-298**

The motion carried unanimously.

**Honorary Resolutions**

A-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 motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Adopted**

**RESOLUTION NO. 08-299**

**The motion carried unanimously.**

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.

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

**RESOLUTION NO. 08-300**

**The motion carried unanimously.**

**Administrative Items**

A-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 motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Adopted**

**RESOLUTION NO. 08-301**

**The motion carried unanimously.**

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

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

**a) and b) Approved; Chair to executed.**

**The motion carried unanimously.**

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

**a) and b) Authorized; Chair to execute.**

**The motion carried unanimously.**

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

**a) Adopted.**

**RESOLUTION NO. 08-302**

**b) Approved.**

**The motion carried unanimously.**

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

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.

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

**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 motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Approved. The motion carried unanimously.**
- 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.
- A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Approved. The motion carried unanimously.**
- 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.
- A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: September 16, 2008 in Santa Maria (EST. TIME: 120 MIN.) The motion carried unanimously.**

**Hearing Requests**

- 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.
- A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: October 7, 2008 in Santa Barbara (EST. TIME: 120 MIN.) The motion carried unanimously.**

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 motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: September 9, 2008 in Santa Maria (EST. TIME: 20 MIN.) The motion carried unanimously.**

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

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

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.

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

**Approval of Administrative Agenda**

*HEARING TIME: 9:10 A.M. - 9:25 A.M. (15 MIN.)*

**A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, to Approve the Administrative Agenda as Amended. The motion carried unanimously.**

File Reference No. 08-00001

Public Comment

*HEARING TIME: 9:26 A.M. - 9:31 A.M. (5 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: California Wildlife Conservation Board funds secured for the Tepusquet Road Bridge repair project - Scott McGolpin, Public Works Director, Addressed the Board.**

**RE: Last film to be shown in the series: "Free Summer Movies at the Historic County Courthouse" scheduled for September 17, 2008 at 7:30 p.m. - Dan Hernandez, Parks Director, Addressed the Board.**

**RE: "Big League Dreams" proposal for Orcutt community recreational needs and direction to staff regarding foreclosure related issues - Fourth District Supervisor, Joni Gray, Addressed the Board.**



**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

*HEARING TIME: 9:32 A.M. - 10:17 A.M. (45 MIN.)*

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

**Received and filed staff presentation and conducted public hearing.**

**The motion carried unanimously.**

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

*HEARING TIME: 10:38 A.M. - 11:07 A.M. 29 MIN.)*

**Acted on as follows:**

**Received and filed staff presentation and conducted public hearing.**

**A motion was made by Supervisor Wolf, Seconded by Supervisor Carbajal as follows:**

**Adopted.**

**The motion failed by the following vote:**

**Ayes: 2 - Supervisor Wolf and Supervisor Carbajal**

**Noes: 3 - Supervisor Centeno, Supervisor Firestone and Supervisor Gray**

**A motion was made by Supervisor Firestone, Seconded by Supervisor Gray as follows:**

**Directed staff to amend the Ordinance to include the following:**

**Provide the option for appellant(s) to seek remedy from the Superior Court and/ or the Board of Supervisors; and**

**b) Additional proposed language suggested by stakeholders.**

**Further directed County Counsel to review and research the proposed changes to the ordinance amending Chapter 15 of the Santa Barbara County Code and return to the Board as appropriate.**

**The motion carried by the following vote:**

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

**Noes: 2 - Supervisor Wolf and Supervisor Carbajal**

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

*HEARING TIME: 11:08 A.M. - 11:09 P.M. (1 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 conducted public hearing.**

- a) **Adopted.**
- b) **Authorized; Chair to execute.**

**The motion carried unanimously.**

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

*HEARING TIME: 11:17 A.M. - 11:26 A.M. (9 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) **Adopted.**
- b) **Authorized; Chair to execute.**

**The motion carried unanimously.**

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

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

*HEARING TIME: 11:27 A.M. - 11:44 A.M. (17 MIN.)*

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

**Received and filed staff presentation and conducted public hearing.**

**Adopted.**

**RESOLUTION NO. 08-303**

**The motion carried by the following vote:**

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

Noes: 1 - Supervisor Carbajal

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

*HEARING TIME: 11:45 A.M. - 12:45 P.M. (60 MIN.)*

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

Received and filed staff presentation and conducted public hearing.

a) Adopted, amended as follows:

Paragraph 3, line three, the word "may" to be replaced with the word "shall".

RESOLUTION NO. 304

b) Authorized; Chair to execute.

c) Set for hearing on September 9, 2008 in Santa Maria (EST. TIME: 60 MIN.)

The motion carried unanimously.

**Adjourned to****September 9, 2008****Betteravia Government Center****Board Hearing Room****511 East Lakeside Parkway****Santa Maria****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 CSBTV Channel 20.

**<http://www.countyofsb.org>**