

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Salud Carbajal
Second District - Janet Wolf
Third District - Doreen Farr, Vice Chair
Fourth District - Joni Gray, Chair
Fifth District - Steve Lavagnino

Chandra L. Wallar, County Executive Officer

Agenda

Tuesday, November 1, 2011

9:00 AM

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 09-368 (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://santabarbara.legistar.com/Calendar.aspx#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.

9:00 A.M. Convene to Regular Session**Roll Call****Pledge of Allegiance****Approval of Minutes of the October 18, 2011 Meeting****12:00 P.M. Recess to Closed Session****Report from Closed Session**COUNTY COUNSEL[11-00040](#)

Closed Session Agenda

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 11:30 A.M.A-1) SUPERVISOR CARBAJAL, SUPERVISOR WOLF [11-00806](#)

Adopt a Resolution of Commendation honoring Direct Relief International upon receiving the Peter F. Drucker Award for Nonprofit Innovation.

A-2) SUPERVISOR WOLF [11-00808](#)

Adopt a Resolution of Commendation honoring Girls Incorporated of Greater Santa Barbara for their many contributions to the community.

A-3) SUPERVISOR GRAY [11-00804](#)

Adopt a Resolution of Commendation honoring Diane Sauer of the Fire Department as the November 2011 County of Santa Barbara Employee of the Month.

Honorary ResolutionsA-4) SUPERVISOR CARBAJAL [11-00805](#)

Adopt a Resolution of Commendation honoring Dick Thielscher as the 2011 Montecito Association Citizen of the Year.

A-5) SUPERVISOR CARBAJAL [11-00807](#)

Adopt a Resolution proclaiming the week of October 1, 2011 through October 16, 2011 as Binational Health Week in Santa Barbara County.

Administrative Items

A-6) CARPINTERIA-SUMMERLAND FIRE PROTECTION DISTRICT [11-00809](#)

Consider recommendations regarding the Carpinteria-Summerland Fire Protection District Mitigation Fee Act Annual Report, as follows:

a) Receive and file the 2010-2011 Annual Report for the Carpinteria-Summerland Fire Protection District Development Impact Fire Mitigation fees; and

b) Accept the annual adjustments.

A-7) GENERAL SERVICES [11-00814](#)

Approve and authorize the Chair to execute the First Amendment to the Lease Agreement between the County of Santa Barbara and the Center for Employment Training (CET), which expands the space leased by the County in the CET building for Probation, located at 509 West Morrison Avenue, in Santa Maria by 512 square feet and provides the County with a right to terminate the lease on thirty days notice, Folio No. 003615, Fourth District.

A-8) GENERAL SERVICES [11-00815](#)

Consider recommendations regarding an Amendment to the Existing Grant of Easements and a New Grant of Easements and Agreement, Among Brooks Trust (APN 029-110-027) and County of Santa Barbara (APN 029-110-023 and 029-202-001) and Santa Barbara Bowl Foundation for an enlarged Public Utilities, Access, and Slope Easement, and Drainage Easement on Brooks Trust Property, ORES Folio No. 001076, First District, as follows:

a) Approve a Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines;

b) Approve and authorize the Chair to execute an Amendment to the Grant of Easements and Agreement relating to Brooks Trust conveying an amended easement to the County to enlarge the existing easement area for the purpose of access, slope maintenance, utilities, and temporary construction easement over Brooks Trust property (APN 127-110-027), in the City of Santa Barbara, California, for the minor realignment of existing utilities and to improve access and slope maintenance; and

c) Approve and authorize the Chair to execute the Grant of Easements and Agreement relating to Brooks Trust conveying a new easement to the County for drainage purposes over Brooks Trust (APN 127-110-027) property, in the City of Santa Barbara, California, for the minor realignment of existing utilities and to improve slope maintenance.

A-9) GENERAL SERVICES[11-00813](#)

Approve and authorize the Chair to execute Amendment No. 3 to the Contract with Native Electrical Construction, Inc. (not a local vendor) for the Lompoc Veterans Memorial Building Electrical Upgrade, in the amount of \$79,677.79 for a total amended contract amount of \$311,678.08, 100 E. Locust Ave., Lompoc, CA, Project No. 8693, upon return of the Contractor's executed contract documents and the review and approval of County Counsel, Auditor-Controller and Risk Manager or their authorized representatives, Fourth District. (4/5 Vote Required)

A-10) GENERAL SERVICES[11-00816](#)

Consider recommendations regarding a Memorandum of Understanding between the County of Santa Barbara, the Cities of Carpinteria, Goleta, Santa Barbara, and CoxCom, LLC to allow early conversion of Public, Education, and Government (PEG) channels to digital format, as follows:

- a) Approve and authorize the Chair to execute a Memorandum of Understanding (MOU) between the County of Santa Barbara, the Cities of Carpinteria, Goleta, Santa Barbara, and CoxCom, LLC (a local vendor);
- b) Find that the proposed action is for the operation, franchising or licensing of existing structures, facilities, or mechanical equipment, involving negligible or no expansion of use beyond that which presently exists, and further find that the proposed action is therefore exempt from CEQA pursuant to 14 CCR 15301; and
- c) Approve the filing of a Notice of Exemption.

A-11) PUBLIC WORKS[11-00810](#)

Consider recommendations regarding Construction of Retaining Walls on Gibraltar Road MP 0.2 and MP 0.4, and on Tunnel Road MP 0.7 (FEMA Disaster Sites 1A02, 1A03, and 1A04), County Project No. 10STRM, First District, as follows:

- a) Authorize the Director of Public Works to advertise for construction bids for the Construction of Retaining Walls on Gibraltar Road at MP 0.2 and MP 0.4, and on Tunnel Road at MP 0.7 (FEMA Disaster Sites 1A02, 1A03, and 1A04);
- b) Find that the proposed action is for the operation, leasing or licensing of existing public structures, facilities, mechanical equipment or topographical feature, involving negligible or no expansion of use beyond that which presently exists, that the proposed action is therefore exempt from CEQA pursuant to 14 CCR 15301(c); and
- c) Approve the filing of a Notice of Exemption.

A-12) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT**11-00811**

Acting as the Board of Supervisors and the Board of Directors of the Flood Control and Water Conservation District:

Consider recommendations regarding a Resolution transferring ownership of the Naomi Schwartz Building to Public Works Funds, First District, as follows: (4/5 Vote Required)

- a) Adopt a Resolution transferring ownership of the Naomi Schwartz Building to Public Works Funds;
- b) Approve Budget Revision No. 0001729 in the amount of \$1,680,618.00;
- c) Find that the proposed actions do not constitute a “Project” within the meaning of California Environmental Quality Act (CEQA), pursuant to 14 CCR 15378 (b)(4) The creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment and 14CCR 15378 (b)(5) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment; and
- d) Approve the filing of a Notice of Exemption.

ADDENDUM**Department requests continuance of Item No. A-13 to November 15, 2011****A-13) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT****11-00724**

Acting as the Board of Directors, Laguna County Sanitation District:

Consider recommendations regarding a Laguna County Sanitation District Board Ordinance amending Chapter 29 of the Santa Barbara County Code regarding a water softener control ordinance and water softener exchange program, Second, Third, Fourth and Fifth Districts, as follows:

- a) Consider the adoption (second reading) of an Ordinance entitled, “An Ordinance for the Laguna County Sanitation District Amending Article III of Chapter 29 of the County Code of the County of Santa Barbara Regarding Water Softening Systems or Devices”; and
- b) Approve a Notice of Exemption pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (14 CCR 15061 (b)(3)).

A-14) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY[11-00812](#)

Acting as the Board of Directors, Water Agency:

Consider recommendations regarding Water Conservation Grant Applications, as follows:

- a) Authorize the Water Agency Manager or designee to seek and apply for water conservation project and program grants from federal or state government agencies, or other funding entities, during Fiscal Year 2011/2012;
- b) Find that the proposed action does not constitute a "Project" within the meaning of California Environmental Quality Act (CEQA), pursuant to 14 CCR 15378 (b)(4) (creation of government funding mechanisms); and
- c) Approve the filing of a Notice of Exemption.

ADDENDUM**Item A-15) is added to the Administrative Agenda, as follows:**A-15) SUPERVISOR GRAY[11-00843](#)

Approve the reappointment of John Lizarraga to the Santa Barbara County Housing Authority Board of Directors, term ending November 11, 2015, Fourth District.

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. 09-368) (11-00001)

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

Departmental Agenda
Planning Items and Public Hearings

1) GENERAL SERVICES[11-00758](#)

HEARING - Consider recommendations regarding an Ordinance granting a Private Pipeline Franchise to ERG Resources, LLC, as follows: (EST. TIME: 5 MIN.)

a) Consider the introduction (first reading) of an Ordinance granting a Private Pipeline Franchise to ERG Resources, LLC, for a twenty (20) year term, to allow the operation and maintenance of the existing pipeline system through the County roadways of Palmer Road and Cat Canyon Road near the Cat Canyon Oil Fields north of Los Alamos in the unincorporated territory of Santa Barbara County; and

b) Set hearing on the Administrative Agenda of November 15, 2011 to consider recommendations, as follows:

i) Consider the adoption (second reading) of an Ordinance granting a Private Pipeline Franchise to ERG Resources, LLC, for a twenty (20) year term, to allow the operation and maintenance of the existing pipeline system in a portion of the unincorporated territory of Santa Barbara County; and

ii) Approve a Notice of Exemption addressing the environmental impact of ERG Resources, LLC's use of the County roadways of Palmer Road and Cat Canyon Road near the Cat Canyon Oil Fields north of Los Alamos, in the unincorporated area of the County.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

2) GENERAL SERVICES[11-00796](#)

HEARING - Approve and authorize the Chair to execute a Professional Services Contract with Gartner, Inc. (not a local vendor) for Telecommunications Consultant Services for the period of November 1, 2011 through June 30, 2012, in an amount not to exceed \$145,000.00. (EST. TIME: 20 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) HOUSING AND COMMUNITY DEVELOPMENT[11-00817](#)

HEARING - Consider recommendations regarding a status update on the Lompoc Housing and Community Development Corporation (LHCDC), as follows: (EST. TIME: 45 MIN.)

a) Receive and file a report regarding the status of financial and operational issues pertaining to the Lompoc Housing and Community Development Corporation; and

b) Provide direction to staff related to contingency planning for services associated with properties owned by LHCDC including affordable housing, transitional housing and emergency shelters.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

4) PLANNING AND DEVELOPMENT[11-00733](#)

HEARING - Consider recommendations of the County and Montecito Planning Commissions to approve Case Nos. 11ORD-00000-00029, 11ORD-00000-00030, and 11ORD-00000-00031 which would amend the County Land Use and Development Code, Montecito Land Use and Development Code, and the Coastal Zoning Ordinance to prohibit Medical Marijuana Dispensary storefronts, as follows: (EST. TIME: 30 MIN.)

a) Consider recommendations regarding Case No. 11ORD-00000-00029 (County LUDC Amendments), as follows:

i) Make the findings for approval of the proposed amendments, including CEQA findings;

ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and

iii) Approve Case No. 11ORD-00000-00029, and adopt an Ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code;

b) Consider recommendations regarding Case No. 11ORD-00000-00030 (Montecito LUDC Amendments), as follows:

i) Make the findings for approval of the proposed amendments, including CEQA findings;

ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and

iii) Approve Case No. 11ORD-00000-00030, and adopt an Ordinance amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code; and

c) Consider recommendations regarding Case No. 11ORD-00000-00031 (Coastal Zoning Ordinance Amendments), as follows:

i) Make the findings for approval of the proposed amendments, including CEQA findings;

ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and

iii) Approve Case No. 11ORD-00000-00031, and adopt an Ordinance amending Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

5) PLANNING AND DEVELOPMENT[11-00729](#)

HEARING - Consider recommendations of the County and Montecito Planning Commissions to approve Case Nos. 11ORD-00000-00012, 11ORD-00000-00013 and 11ORD-00000-00014 which would amend, respectively, the County Land Use and Development Code, the Montecito Land Use and Development Code, and the Article II Coastal Zoning Ordinance, to implement a series of amendments that address emerging issues and correct and clarify existing language, as follows: (EST. TIME: 1 HR.)

a) Consider recommendations regarding Case No. 11ORD-00000-00012, County LUDC Amendment, as follows:

i) Make the findings for approval, including CEQA findings, of the proposed Ordinance as shown in Attachment A of the Board Letter for the October 4, 2011 hearing;

ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA included as Attachment B of the Board Letter for the October 4, 2011 hearing; and

iii) Approve Case No. 10ORD-00000-00012, and adopt an Ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code included as Attachment C of the Board Letter for the October 4, 2011 hearing, and as amended to reduce the additional parking allowed in Section 8 of Attachment C;

b) Consider recommendations regarding Case No. 11ORD-00000-00013, Montecito LUDC Amendment, as follows:

i) Make the findings for approval, including CEQA findings, of the proposed Ordinance as shown in Attachment D of the Board Letter for the October 4, 2011 hearing;

ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA included as Attachment E of the Board Letter for the October 4, 2011 hearing; and

iii) Approve Case No. 11ORD-00000-00013, and adopt an Ordinance amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code included as Attachment F of the Board Letter for the October 4, 2011 hearing; and

c) Consider recommendations regarding Case No. 11ORD-00000-00014, Article II Coastal Zoning Ordinance Amendment, as follows:

- i) Make the findings for approval, including CEQA findings, of the proposed Ordinance as shown in Attachment G of the Board Letter for the October 4, 2011 hearing;
- ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA included as Attachment H of the Board Letter for the October 4, 2011 hearing; and
- iii) Approve Case No. 11ORD-00000-00014, and adopt an Ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code included as Attachment I of the Board Letter for the October 4, 2011 hearing, and as amended to reduce the additional parking allowed in Section 4 of Attachment I.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Board Member Reports

Adjourn to

emPowerSBC Launch 5:00 P.M.

Santa Barbara Courthouse

1100 Anacapa Street

Santa Barbara, CA 93101

Following the emPowerSBC Launch, the November 1, 2011 Meeting will

Adjourn to

November 8, 2011

Joseph Centeno Betteravia Government Administration Building

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

Challenges

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, November 1, 2011 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, November 3, 2011, at 5:00 PM and on Saturday, November 5, 2011, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>