

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Salud Carbajal

Second District - Janet Wolf, Vice Chair

Third District - Doreen Farr

Fourth District - Joni Gray

Fifth District - Joseph Centeno, Chair

Michael F. Brown, County Executive Officer

Agenda

Tuesday, November 3, 2009

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 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

[09-00957](#)

Closed Session Agenda

Approval of Minutes of the October 27, 2009 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

[09-00920](#)

Adopt a Resolution of Commendation honoring Senior Deputy District Attorney Allan Kaplan upon his retirement from the Santa Barbara County District Attorney's Office after 27 years of dedicated service to all residents of Santa Barbara County.

A-2) BOARD OF SUPERVISORS

[09-00931](#)

Adopt a Resolution of Commendation honoring John Meredith and Matt Murray of the Information Technology Department as the November 2009 Santa Barbara County Employees of the Month.

Honorary Resolutions

A-3) SUPERVISOR CARBAJAL

[09-00933](#)

Adopt a Resolution of Commendation honoring Dana Newquist as a recipient of the Montecito Association's 2009 Citizen of the Year Award.

A-4) SUPERVISOR WOLF

[09-00930](#)

Adopt a Resolution of Commendation honoring Nicholas Vanhecke upon achieving the rank

of Eagle Scout.

Administrative Items

A-5) GENERAL SERVICES [09-00923](#)

Consider recommendations regarding the Notice of Completion for the Lompoc Fire and Sheriff Facility Air Conditioning Project, County Project No. 8657AC, Fourth District, as follows:

- a) Accept the Notice of Completion for work performed by All Star Heating and Air Conditioning of Buellton, California (a local vendor), for the Lompoc Fire and Sheriff Air Conditioning Project; and
- b) Approve and authorize the Clerk to record.

A-6) GENERAL SERVICES [09-00926](#)

Accept a Notice of Completion for work performed by Alltech Services to remove and replace 14 failing HVAC units and install a new automated building control system in Betteravia Building No. B, Project No. T02001, Fifth District.

A-7) GENERAL SERVICES [09-00929](#)

Approve and authorize the Chair to execute the Second Amendment to the Lease Agreement between the County of Santa Barbara and the Santa Barbara Community Housing Corporation (SBCHC) for the SBCHC's use of the approximately 5,000 square foot County-owned building known as Casa Del Mural, located at 4570 Calle Real, in Santa Barbara, which will amend and further define the responsibilities of the SBCHC and the County in regard to maintenance, utilities, and management of the property, Project No. ORES 002874, Second District.

A-8) HOUSING AND COMMUNITY DEVELOPMENT [09-00921](#)

Consider recommendations regarding a Grant Application for Housing and Urban Development Continuum of Care Homeless Assistance Programs, as follows:

- a) Approve and authorize the Director of the Housing and Community Development Department to submit a Countywide comprehensive application to the United States Department of Housing and Urban Development (HUD), for the Fiscal Year 2009 Continuum of Care Homeless Assistance Programs; and
- b) Approve and authorize the Director of Housing and Community Development to execute all certifications, standard forms, and other related documents required for submission of the Fiscal Year 2009 Continuum of Care grant application.

A-9) PUBLIC WORKS[09-00935](#)

Consider recommendations regarding the Seismic Retrofit of Two Bridges, Nos. 51C-014 and 51C-016, located on Jalama Road at Salsipuedes and Ramajal Creeks, Federal Aid Project No. BRLSZD-5951(113) and (117), combined County Project Numbers 862276 and 862277, Third District, as follows:

- a) Approve plans and specifications for seismic retrofit of two bridges, Nos. 51C-014 and 51C-016, located on Jalama Road at Salsipuedes and Ramajal Creeks, Federal Aid Project No. BRLSZD-5951(113) and (117), combined County Project Numbers 862276 and 862277;
- b) Award the construction contract in the amount of \$618,838.20 to the lowest responsive bidder, Souza Constructors, Inc., (not a local vendor), subject to the provisions of documents and certification as set forth in the plans and specifications applicable to the project, and as required by law;
- c) Approve and authorize the Chair to execute the construction contract upon return of the Contractor's executed contract documents, and upon the review and approval of County Counsel, Auditor-Controller, Risk Manager or their authorized representatives; and
- d) Approve a contingency fund in the amount of \$43,441.91.

A-10) SHERIFF[09-00922](#)

Authorize the transfer of an Armored Personnel Carrier, County Vehicle No. 3319, to the Lompoc Police Department.

A-11) TREASURER-TAX COLLECTOR[09-00932](#)

Adopt a Resolution Authorizing the Cold Spring Elementary School District to Issue and Sell Bonds on its Own Behalf in Accordance with Education Code Section 15140 in an amount not to exceed \$2,440,000, Election of 2008, Series 2009.

Board of Supervisors**A-12) SUPERVISOR WOLF**[09-00928](#)

Approve the appointment of Ariana C. Alvarez to the Commission for Women, term ending October 30, 2011, Second District.

Hearing Requests**A-13) COUNTY COUNSEL****[09-00927](#)**

HEARING - Adopt a Resolution accepting and approving a Development Impact Fee update to the Fire Protection Mitigation Fee of the Carpinteria-Summerland Fire Protection District. (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION:

A-14) PUBLIC HEALTH**[09-00925](#)**

HEARING - Consider recommendations regarding the approval of an Ordinance which establishes the Santa Barbara County Public Health Department (PHD) Community Health Center Board (CHC) and Approve the CHC Membership and By-Laws, as follows: (EST. TIME: 15 MIN.)

- a) Consider the introduction (first reading) of an Ordinance establishing the Santa Barbara County CHC Board;
- b) Set hearing for December 1, 2009 to consider recommendations, as follows:
 - i) Consider the adoption (second reading) of an Ordinance establishing the Santa Barbara County CHC Board;
 - ii) Approve the eight (8) CHC Board Consumer Members recommended by the PHD with the remaining 5 members to be appointed by the Board of Supervisors (one 1 member from each district) by December 11, 2009; and
 - iii) Approve the recommended Santa Barbara County CHC Board By-Laws.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION:

A-15) SUPERVISOR CARBAJAL**[09-00934](#)**

HEARING - Consider recommendations regarding winter ocean water quality testing, as follows: (4/5 Vote Required) (EST. TIME: 15 MIN.)

- a) Consider funding a winter ocean water quality program from November 2009 through March 2010 with Santa Barbara Channelkeeper, a local environmental organization; and
- b) Approve a Budget Revision Request transferring \$15,000 from Tobacco Settlement Advisory Committee (TSAC) (Fund 0046) for an ocean water testing program.

Administrative Items**A-16) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES****[09-00183](#)**

Receive and file a report on the County of Santa Barbara's Pharmacy Discount Card Program.

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) (09-00001)

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

Departmental Agenda**Planning Items and Public Hearings**1) **PLANNING AND DEVELOPMENT**[09-00358](#)

HEARING - Consider recommendations regarding the Santa Barbara Ranch Development, as follows: (EST. TIME: 15 MIN.)

- a) Accept the Addendum dated October 5, 2009 to the Santa Barbara Ranch FEIR as adequate environmental review for the actions;
- b) Adopt a finding that the Coastal Development Agreement approved by Ordinance 4694 is not yet effective because certification by the Coastal Commission of the Local Coastal Program Amendments has not occurred; and
- c) Consider the adoption (second reading) of an Ordinance rescinding the Board's previous approval of the Coastal Development Agreement for Santa Barbara Ranch and vacating its previous authorization for the owners of Dos Pueblos Ranch to seek their own Development Agreement.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

2) PUBLIC WORKS[09-00843](#)

HEARING - Consider recommendations regarding speed limits on various roads, First, Second, and Fourth Districts, as follows: (4/5 Vote Required) (EST. TIME: 20 MIN.)

a) Consider the adoption (second reading) of an Ordinance amending Chapter 23 Sections 23-15.3, 23-15.4, 23-15.5, 23-15.6 and 23-15.7 of the Santa Barbara County Code pertaining to speed limits on Rincon Hill Road and Via Real in the Carpinteria area, Middle Road in the Montecito area, Mission Canyon Road and Turnpike Road in the Santa Barbara area, and Rucker Road in the Mission Hills area.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) SHERIFF, FIRE, PUBLIC HEALTH, PARKS[09-00919](#)

HEARING - Consider recommendations regarding a report on the Urgency Ordinance Prohibiting Use of Alcohol on Parks, Beaches, Recreational Areas and Beach Access Ways for Public Safety Purposes in the Community of Isla Vista and adoption of a Permanent Ordinance Prohibiting Use of Alcohol on Parks, Beaches, Recreational Areas, and Beach Access Ways for Public Safety Purposes in the Community of Isla Vista, Third District, as follows: (EST. TIME: 45 MIN.)

a) Receive and file a six month update on Urgency Ordinance Restricting Use of Alcohol in Certain Parks, Beaches, Access Ways and Recreation Areas located in the Community of Isla Vista;

b) Consider the introduction (first reading) of an Ordinance Restricting use of Alcohol in Certain Parks, Beaches, Access Ways, and Recreation Areas located in the Community of Isla Vista; and

c) Set hearing for December 1, 2009 to consider the adoption (second reading) of an Ordinance Restricting use of Alcohol in Certain Parks, Beaches, Access Ways and Recreation Areas located in the Community of Isla Vista.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

4) PLANNING AND DEVELOPMENT[09-00766](#)

HEARING - Consider the request of Susan Petrovich, agent for William Foley, owner, regarding the Crossroads Special Events and Rezone, Third District, as follows: (EST. TIME: 15 MIN.)

a) Consider recommendations regarding the Rezone, Case No. 07RZN-00000-00004, as follows:

i) Adopt the required findings for the Rezone, Case No. 07RZN-00000-00004, including CEQA findings;

ii) Adopt an Ordinance Zoning Map Amendment for APN 133-190-014, amending the Inland Zoning Map for the Santa Ynez Valley Rural Areas Zone;

iii) Adopt the revised Mitigated Negative Declaration No. 08NGD-00000-00013 for the limited purpose of approving the consistency rezone; and

iv) Approve case No. 07RZN-00000-00004; and

b) Consider recommendations regarding the Conditional Use Permit, Case No. 09CUP-00000-00021, as follows:

i) Adopt the required findings for denial of Conditional Use Permit Case No. 09CUP-00000-00021;

ii) Accept the exemption pursuant to CEQA Guidelines Section 15270 (projects which are disapproved); and

iii) Deny Case No. 09CUP-00000-00021.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Time Certain - 11:45 A.M.

The Board of Supervisors welcome Assemblywoman Fiona Ma (D-San Francisco), Member, Assembly Agricultural Committee.

Time Certain - 12:00 P.M.

Lunch reception in the Board of Supervisors' Conference Room, 4th Floor, County Administration Building, Santa Barbara.

Departmental Item No. 5) - Time Certain 1:30 P.M.

5) PUBLIC HEALTH

[09-00901](#)

HEARING - Consider recommendations regarding the Spay-Neuter Task Force Report and Recommendations, as follows: (EST. TIME: 3 HRS.)

a) Consider recommendations from the Spay-Neuter Task Force and consider the introduction (first reading) of Ordinance amendments to the County Code Chapter 7 and the Animal Services Fee Schedule effective January 1, 2010;

b) Set hearing for December 1, 2009 to consider the adoption (second reading) of Ordinance amendments to the County Code Chapter 7 and the Animal Services Fee Schedule;

c) Approve a Notice of Exemption pursuant to California Environmental Quality Act of 1970 (CEQA) Guidelines;

d) Commend the Task Force members on their work and the completion of their duties; and

e) Direct staff to return to the Board of Supervisors in 24-36 months with data to report on the effectiveness of any Ordinance approved by the Board, as well as performance measures on licensing levels resulting from the Responsible Pet Ownership Program.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

6) PLANNING AND DEVELOPMENT[09-00902](#)

HEARING - Consider recommendations regarding Case No. 09APL-00000-00025, the Sipple appeal of the Montecito Planning Commission's July 28, 2009 denial of Case Nos. 09APL-00000-00013 and 09APL-00000-00014, located at 660 Stonehouse Lane, APN 155-060-028, Montecito Area, First District, as follows: (EST. TIME: 1 HR.)

- a) Deny the appeal, Case No. 09APL-00000-00025 thereby upholding the Montecito Planning Commission's (MPC) denial of the Sipple appeals, case numbers 09APL-00000-00013 and 09APL-00000-00014, as shown in the July 28, 2009 MPC Action Letter;
- b) Accept the CEQA Notice of Exemption;
- c) Grant de novo approval of Case No. 06BAR-00000-00182, upholding the Montecito Board of Architectural Review's (MBAR) decision of approval; and
- d) Grant de novo approval of Case No. 09LUP-00000-00166, as revised by the Montecito Planning Commission and subject to the conditions of approval in the originally-approved Land Use Permit.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Adjourn to**November 10, 2009****Betteravia Government Center****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 3, 2009 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, November 5, 2009, at 5:00 PM and on Saturday, November 7, 2009, at 10:00 AM on CSBTV Channel 20.

The Board of Supervisors will not meet on Tuesday November 17, 2009 due to the California State Association of Counties (CSAC) Conference and Tuesday November 24, 2009 due to the Thanksgiving Holiday.

<http://www.countyofsb.org>