

County of Santa Barbara
BOARD OF SUPERVISORS



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

Michael F. Brown, County Executive Officer

Action Summary

Tuesday, August 3, 2010

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.

7:50 A.M. Convened and Recessed to Closed Session**9:00 A.M. Reconvened to Regular Session**

CONVENED: 9:08 A.M.

Roll Call

Present: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray,
and Supervisor Centeno

Pledge of Allegiance**Report from Closed Session**

COUNTY COUNSEL

[10-00748](#)

Closed Session Agenda

No reportable action taken.

Approval of Minutes of the July 27, 2010 Meeting

**A motion was made by Supervisor Gray, seconded by Supervisor Farr, to
Approve the Minutes. The motion carried by the following vote:**

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor
Gray, and Supervisor Centeno

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**A-1) SUPERVISOR CARBAJAL****10-00704**

Adopt a Resolution of Commendation honoring Kris McGuire for her dedicated service to the residents of the Carpinteria Valley.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Adopted.

RESOLUTION NO. 10-209

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Administrative Items**A-2) COUNTY COUNSEL****10-00700**

Approve and authorize the Chair to execute Amendment No. 1 to the Contract with the law firm of Oliver, Sandifer and Murphy (not a local vendor) for outside counsel services, extending the contract term until completion of services, but no later than January 1, 2012, for the Santa Claus Lane Project.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Approved; Chair to Execute. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-3) COUNTY EXECUTIVE OFFICE**10-00708**

Adopt a Resolution, as recommended by the Legislative Program Committee, opposing Proposition 23, the California Jobs Initiative, which would suspend implementation of AB 32 Clean Energy and Air Pollution Control Standards.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Adopted.

RESOLUTION NO. 10-210

The motion carried by the following vote:

Ayes: 3 - Supervisor Carbajal, Supervisor Wolf, and Supervisor Farr

Noes: 1 - Supervisor Gray

Abstained: 1 - Supervisor Centeno

A-4) COUNTY EXECUTIVE OFFICE**10-00711**

Accept three 2010 States of California and Nevada Chapter of the National Association of Telecommunications Officers and Advisors (SCAN/NATOA) STAR Awards presented to CSBTv Channel 20.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Continued, as follows: Directed staff to return as appropriate. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-5) GENERAL SERVICES**10-00709**

Accept title to the real property conveyed from Terrance L. Hinton and Vera M. Hinton, as Trustees of the Hinton 1989 Trust, and Carl Hinton and Bobbie Hinton, Trustees of the Carl and Bobbie Hinton Revocable Trust for two contiguous vacant parcels of land located on the north side of Leslie Street, west of Centennial Street, in Los Alamos, and described as Lots 7 and 8 in Block 4 of the Town of Los Alamos, CA., and known as County APNs 101-151-005 and 101-151-006, by authorizing the Clerk of the Board to execute the Certificate of Acceptance attached to the Certified Copy of the Grant Deed, Third District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Accepted. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-6) PARKS**10-00701**

Consider recommendations regarding the construction of Don Potter Area Paving Improvements at Waller County Park, Project No. D62049, Fourth District, as follows:

- a) Approve a Notice of Exemption pursuant to the County's Environmental Quality Act (CEQA) guidelines for the Construction of Don Potter Area Paving Improvements at Waller County Park;
- b) Approve the plans and specifications for the project and award the Construction Contract in the amount of \$229,811.25 to the lowest responsible bidder, Brough Construction, Inc. (not a local vendor) located at 634 Printz Road, Arroyo Grande, CA, subject to the provisions of documents and certifications as set forth in the plans and specifications applicable to the project, as required under California Law; and
- c) Approve a contingency fund in the amount of \$22,981.12 for the construction of Don Potter Area Paving Improvements at Waller County Park.

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

a) through c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-7) PLANNING AND DEVELOPMENT**10-00702**

Receive and file a report on interim guidance for analyzing greenhouse gas emissions on projects subject to the California Environmental Quality Act (CEQA).

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Withdrawn from the agenda. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-8) PROBATION**10-00710**

Consider recommendations regarding the Fiscal Year 2010/2011 Santa Barbara County Education Office (SBCEO) School-Based Officer Position for Peter Fitzgerald Community School, Santa Maria, Fifth District, as follows: (4/5 Vote Required)

- a) Authorize the Chief Probation Officer to execute the Memorandum of Understanding (MOU) to accept \$103,083.00 from the SBCEO to provide a School-Based Deputy Probation Officer for the Peter Fitzgerald Community School in Santa Maria;
- b) Adopt a Budget Revision recognizing the unanticipated revenue; and
- c) Authorize the Chief Probation Officer to execute annual renewal MOUs with the SBCEO to accept funding to continue to provide a School-Based Deputy Probation Officer to the Peter Fitzgerald Community School in Santa Maria.

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

a) Authorized.

b) Adopted.

c) Authorized.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-9) PUBLIC HEALTH**10-00707**

Consider recommendations regarding the ST Elevated Myocardial Infarction (STEMI) Receiving Center designation Agreements with Santa Barbara Cottage Hospital and Marian Medical Center, as follows:

- a) Approve and authorize the Chair to execute a Professional Services Agreement between Santa Barbara County and Santa Barbara Cottage Hospital for designation as a Santa Barbara County STEMI Receiving Center; and
- b) Approve and authorize the Chair to execute a Professional Services Agreement between Santa Barbara County and Marian Medical Center for designation as a Santa Barbara County STEMI Receiving Center.

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

a) and b) Approved; Chair to execute.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-10) SUPERIOR COURT

10-00705

Consider recommendations regarding the funding of ADR/DRPA Dispute Resolution Programs for 2010/2011, as follows:

a) Approve and authorize the Chair to execute an Amendment of the existing (2009/2010) Contract with Conflict Solutions Center of Santa Barbara County for grant funding from the Dispute Resolution Trust (Fund 1073) in the amount of \$72,000.00, extending the Contract for the period of July 1, 2010 through June 30, 2011, as permitted in Section 3 of that Contract; and

b) Approve continued funding from the Dispute Resolution Trust Fund (1073) for the Superior Court, for purposes of Dispute Resolution Program administration during Fiscal Year 2010/2011 in an amount not to exceed 20% of the annual revenue of the Trust Fund, as provided by Section 469 of the California Business and Professions Code.

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

a) Approved; Chair to execute.

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-11) SUPERVISOR FARR

10-00712

Approve the appointment of Patricia Simon to the Human Services Commission, term ending June 30, 2013, Third District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Hearing Requests**A-12) COUNTY EXECUTIVE OFFICE****10-00690**

Set hearing to adopt a Resolution setting the 2010/2011 library special tax rate in the County Service Area No. 3 (County unincorporated area).
(Set hearing for 8/10/10. Time estimate 5 minutes.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: August 10, 2010 in Santa Maria (EST. TIME: 5 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-13) PLANNING AND DEVELOPMENT**10-00703**

Set hearing to consider recommendations regarding an Ordinance Amending Chapter 24A for Purposes of Designating Alternate Hearing Examiners for Administrative Fine Appeal Hearings and to Clarify Procedures for Waiver of the 45-Day Appeal Hearing Timeline, as follows:
(Set hearing for 9/7/10. Time estimate 5 minutes.)

a) Set hearing to consider the introduction (first reading) an Ordinance amending Chapter 24A, Administrative Fines, of the Santa Barbara County Code to allow designation of an alternate hearing examiner for purposes of an administrative fine appeal hearing, and to clarify procedure for waiver of the 45 day appeal hearing timeline; and

b) Set hearing for September 14, 2010 on the Administrative Agenda to consider the adoption (second reading) of an Ordinance amending Chapter 24A, Administrative Fines, of the Santa Barbara County Code to allow designation of an alternate hearing examiner for purposes of an administrative fine appeal hearing, and to clarify procedure for waiver of the 45 day appeal hearing timeline, to be effective 30 days from adoption.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: September 7, 2010 in Santa Barbara (EST. TIME: 5 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-14) PUBLIC HEALTH**10-00713**

Set hearing to consider recommendations regarding laboratory testing fees for Bordetella Pertussis (Whooping Cough), as follows:
(Set hearing for 8/10/10. Time estimate 10 minutes.)

a) Adopt a Resolution implementing a Public Health Laboratory fee of \$70.00 for each polymerase chain reaction (PCR) test for Bordetella Pertussis and any other diseases that are tested through the polymerase chain reaction (PCR) testing method, pursuant to the California Health and Safety Code §101150, et. seq; and

b) Approve the Notice of Exemption from the California Environmental Quality Act of 1970 (CEQA) for the fee resolution, pursuant to CEQA guidelines.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: August 10, 2010 in Santa Maria (EST. TIME: 10 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-15) PUBLIC HEALTH**10-00714**

Set hearing to consider recommendations regarding a fee for the Office of Vital Records for mailing certified copies of birth and death certificates, as follows:
(Set hearing for 8/10/10. Time estimate 10 minutes.)

a) Adopt a Resolution implementing a postage and administrative fee of \$2.00 for the Office of Vital Records pursuant to the California Health and Safety Code §102275;

b) Approve the Notice of Exemption from the California Environmental Quality Act of 1970 for the fee resolution, pursuant CEQA guidelines; and

c) Authorize the Public Health Department Office of Vital Records to adjust the mailing fee for copies of birth and death certificates when this fee is adjusted for the Clerk Recorder's Office.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: August 10, 2010 in Santa Maria (EST. TIME: 10 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-16) CHILD SUPPORT SERVICES**10-00749**

Set hearing to receive and file an update on the benefits of Child Support.
(Set hearing for 8/10/10. Time estimate 15 minutes.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: August 10, 2010 in Santa Maria (EST. TIME: 15 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Administrative Items**A-17) SHERIFF, COUNTY EXECUTIVE OFFICE****10-00543**

Consider recommendations regarding a Rebuttal to the Argument Against Measure S-2010, Authorization to Prepare, Sign and Submit Rebuttal Argument, as follows:

a) Receive and approve recommendation regarding potential signatories of the rebuttal argument regarding Measure S-2010-The County of Santa Barbara ½ Percent Transactions (Sales) and Use Tax Ordinance for Local Crime and Gang Reduction, Fire Protection and Jail Construction/Operation; and

b) Authorize in writing via “Authorization for Another Person or Persons to Sign Rebuttal Argument” to include Sheriff Bill Brown, Santa Barbara County Fire Chief, Mike Dyer, City of Santa Maria Mayor, Larry Lavagnino, City of Santa Barbara Mayor, Helene Schneider and, if desired, another individual the Board of Supervisors may deem appropriate, to prepare, sign and submit rebuttal argument.

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

a) Approved; and

b) Authorized. Added the following individual:

Rick Roney.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Approval of Administrative Agenda

HEARING TIME: 9:15 A.M. - 9:45 A.M. (30 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, to Approve the Administrative Agenda as Amended. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Board Member Reports

HEARING TIME: 9:41 A.M. - 9:43 A.M. (2 MIN.)

Re: Attended St. Mark's Episcopal Church fund raiser "Cellar Classic: An Auction of Rare & Fine Wines" - Fourth District Supervisor Joni Gray Addressed the Board.

Public Comment Period

HEARING TIME: 9:44 A.M. - 9:56 A.M. (12 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. 09-368) (10-00001)

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

RE: Capital Investments in County Parks - Geof Bard Addressed the Board.

RE: County District Attorney Election / Racism - Dr. Robert L. Johns Addressed the Board.

RE: County and State Energy concerns - Andy Caldwell Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) **SOCIAL SERVICES**

10-00562

HEARING - Receive and file the Workforce Investment Board Progress Report and presentation.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: WITHDRAW

HEARING TIME: 9:57 A.M. - 9:58 A.M. (1 MIN.)

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Withdrawn from the agenda. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

2) **SHERIFF**

10-00678

HEARING - Consider the amendment of County Ordinance section 23B-8(e), also known as the Permit Parking Program which establishes criteria to be used in designating and managing a permit parking area, to change from the annual renewal cycle to a three (3) year renewal cycle.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: WITHDRAW

HEARING TIME: 9:59 A.M. - 10:00 A.M. (1 MIN.)

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Withdrawn from the agenda. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

3) COUNTY EXECUTIVE OFFICE[10-00632](#)

HEARING - Consider recommendations regarding S. 3358 (Boxer), the West Coast Ocean Protection Act of 2010, as follows: (EST. TIME: 15 MIN.)

- a) Consider whether to take a position on S. 3358 (Boxer), the West Coast Ocean Protection Act of 2010; and
- b) Direct staff to communicate the Board of Supervisors' position to the County of Santa Barbara's federal legislative delegation.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:01 A.M. - 10:25 A.M. (24 MIN.)

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

- a) Received and filed staff presentation and conducted public hearing.**
- b) Directed staff to communicate the Board of Supervisors' position in support of S. 3358 (Boxer), the West Coast Ocean Protection Act of 2010.**

The motion carried by the following vote:

Ayes: 3 - Supervisor Carbajal, Supervisor Wolf, and Supervisor Farr
Noes: 2 - Supervisor Gray, and Supervisor Centeno

4) COUNTY EXECUTIVE OFFICE, OFFICE OF EMERGENCY SERVICES 10-00677
HEARING

- Approve and authorize the Chair to execute a letter to the Chair of the Nuclear Regulatory Commission supporting the San Luis Obispo County Board of Supervisors' request that immediate seismic studies be conducted on the recently discovered earthquake fault located in the vicinity of the Diablo Nuclear Power Plant, and that the fault studies be conducted prior to further relicensing activities conducted by the Commission. (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:45 A.M. - 12:20 P.M. (35 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Approved and authorized the Chair to execute a letter to the Chair of the Nuclear Regulatory Commission as proposed in the CEO/Office of Emergency Services Board Letter dated August 3, 2010. Amended the last paragraph to read as follows:

"In a matter to only determine hazard and risk, and without prejudice towards nuclear power facilities, the Santa Barbara County Board of Supervisors are supportive of San Luis Obispo County's position that the proposed three dimensional geophysical mapping should occur to assess the risks of the newly discovered fault before the relicensing of Diablo Canyon."

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

5) AUDITOR-CONTROLLER, COUNTY EXECUTIVE OFFICE[10-00559](#)

HEARING - Consider recommendations regarding the Fiscal Year 2009/2010 Year End Revisions and Financial Status Report, as follows: (4/5 Vote Required) (EST. TIME: 1 HR.)

a) Approve Budget Revisions and transfers necessary to close the County's accounting records for all County funds for the fiscal year ended June 30, 2010 (Fiscal Year 2009/2010); and

b) Receive and file, per the provisions of Government Code Section 29126.2, the June 30, 2010 Financial Status Report showing the status of appropriations and financing for all department budgets adopted by the Board of Supervisors.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 12:25 P.M. - 1:10 P.M. (45 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Approved.

b) Received and filed.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

6) PLANNING AND DEVELOPMENT[10-00252](#)

HEARING - Consider recommendations regarding Coastal Commission Suggested Modifications to County and Montecito Land Use and Development Codes, as follows:
(EST. TIME: 1 HR.)

a) Provide direction to the Planning and Development Department regarding how the Board of Supervisors would like to proceed in presenting its comments regarding the recommended modifications to the Coastal Commission for their consideration at the August 2010 hearing;

b) Approve and authorize the Chair to execute a letter to the Coastal Commission (as revised by the Board of Supervisors); and

c) Select up to two Board members to represent the County at the Coastal Commission hearing on August 11 or 12, 2010.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:55 P.M. - 4:30 P.M. (2 HRS., 35 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Proceed with the Coastal Commission hearing on August 12, 2010, and request that the Coastal Commission (1) provide input and direction on suggested modifications 9, 10, 13, 21, and 34 to the County and the Coastal Commission staff, and (2) direct their staff to work with the County of Santa Barbara and its constituents through local public workshops to receive further input and attempt to resolve the remaining issues;

b) Approved; Chair to execute letter, amended as follows:

1. Divide the issue areas into two groups; the first group to contain those areas where the Board reached consensus on the suggested revisions, and the second group to contain those areas where the Board was not able to reach consensus, specifically school facilities in agricultural zones, permit requirements for voluntary mergers, and restrictions on primary residences in agricultural zones; and

2. Request that the Coastal Commission proceed with the hearing on August 12, 2010, and, at this hearing, provide input on suggested modifications 9, 10, 13, 21, and 34 to the County and the Coastal Commission staff, and direct the Coastal Commission staff to work with the County and the local community on the language of the suggested modifications.

c) Second District Supervisor Janet Wolf and Third District Supervisor Doreen Farr selected to represent the Board and the County at the Coastal Commission hearing scheduled for August 12, 2010 at the San Luis Obispo County Government Center, San Luis Obispo, CA. The meeting will begin at 9:00 a.m.

Continued hearing to September 7, 2010 in Santa Barbara (EST. TIME: 90 MIN.).

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

7) PLANNING AND DEVELOPMENT[10-00654](#)

HEARING - Consider the request of Christopher Jacobs, agent for Bean Blossom LLC, to consider the appeals, Case Nos. 08APL-00000-00040 and 08APL-00000-00041 (appeals filed November 6, 2008), of the Planning Commission's decision to uphold the Board of Architectural Review's denial of Preliminary Approval, Case No. 03BAR-00000-00164, and the Planning and Development Department's denial of a Coastal Development Permit, Case No. 02CDP-00000-00023, for the Bean Blossom Lot X single-family residence and accessory structures, in compliance with Section 35-182 of the Article II Coastal Zoning Ordinance, on property located in the AG-II-100 and AG-II-320 zones. The applications involve APN 081-210-047, located at 14000 Calle Real, in the Gaviota Area, Third District, as follows: (EST. TIME: 45 MIN.)

- a) Make the findings for approval of the modified project, Case Numbers 03BAR-00000-00164 and 02CDP-00000-00023, including the CEQA findings;
- b) Approve the Notice of Exemption pursuant to Section 15303 of the CEQA Guidelines;
- c) Uphold the appeals, Case Numbers 08APL-00000-00040 and 08APL-00000-00041, and approve the modified project, Case Numbers 03BAR-00000-00164 and 02CDP-00000-00023, subject to the Coastal Development Permit and the accompanying conditions of approval; and
- d) Refer back to staff if the Board of Supervisors takes other than the recommended action for appropriate findings and/or conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 4:35 P.M. - 5:25 P.M. (50 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Adopted findings for approval of the modified project, Case Nos. 03BAR-00000-00164 and 02CDP-00000-00023, including the CEQA findings;**
- b) Approved the Notice of Exemption;**
- c) Upheld the appeals, Case Nos. 08APL-00000-00040 and 08APL-00000-00041, and approved the modified project, Case Nos. 03BAR-00000-00164 and 02CDP-00000-00023, subject to the Coastal Development Permit and the accompanying conditions of approval; and**
- d) No further action taken.**

The motion carried by the following vote:

Ayes: 3 - Supervisor Carbajal, Supervisor Gray, and Supervisor Centeno

Noes: 1 - Supervisor Wolf

Recused: 1 - Supervisor Farr

8) PLANNING AND DEVELOPMENT[10-00387](#)

HEARING - Consider Case No. 09APL-00000-00032, the Decker appeal of the Montecito Planning Commission's (MPC) October 28, 2009 denial of Case No. 09APL-00000-00020, located at 670 Stonehouse Lane (APN 155-060-030), in the Montecito area, First District, as follows: (EST. TIME: 1 HR.)

- a) Deny the appeal, Case No. 09APL-00000-00032, thereby upholding the MPC's denial of the Decker appeal, case number 09APL-00000-00020, which upheld the June 29, 2009 Montecito Board of Architectural Review's denial of case number 08BAR-00000-00145;
- b) Make the required findings for denial of 08BAR-00000-00145, as shown in the November 4, 2009 MPC Action Letter; and
- c) Approve the Notice of Exemption pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15270.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 5:35 P.M. - 6:40 P.M. (65 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Approved recommendations as amended at the hearing of August 3, 2010 as follows:

- a) Denied the appeal, Case No. 09APL-00000-00032, thereby upholding the Montecito Planning Commission's denial of the Decker appeal, case number 09APL-00000-00020, which upheld the June 29, 2009 Montecito Board of Architectural Review's denial of case number 08BAR-00000-00145;**
- b) Made the required findings for denial of 08BAR-00000-00145, as shown in the November 4, 2009 Montecito Planning Commission Action Letter, included as Attachment A to this board letter;**
- c) Determined the project is exempt from further environmental review, pursuant to CEQA Guidelines Section 15270, included as Attachment B to this Board Letter; and**
- d) Denied the project, case number 08BAR-00000-00145.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

9) PLANNING AND DEVELOPMENT[10-00206](#)

HEARING - Consider recommendations regarding the NextG appeal (Case No. 10APL-00000-00007) of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB02 permit, Case No. 09CDP-00000-00052 located in the public right of way of Middle Road (adjacent to APN 009-170-005) in Montecito, First District, as follows: (EST. TIME: 24 MIN.)

- a) Deny the appeal, Case No. 10APL-00000-00007, thereby upholding the Montecito Planning Commission's denial of 09CDP-00000-00052;
- b) Make the required findings for denial of the project;
- c) Approve the Notice of Exemption pursuant to CEQA Guidelines Section 15270; and
- d) Deny the project, 09CDP-00000-00052.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 6:55 P.M. - 7:05 P.M. (10 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: September 21, 2010 in Santa Barbara (EST. TIME: 24 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

10) PLANNING AND DEVELOPMENT[10-00202](#)

HEARING - Consider recommendations regarding the NextG appeal (Case No. 10APL-00000-00008) of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB03 permit, Case No. 09LUP-00000-00381 located in the public right of way of Sheffield Drive (adjacent to APN 007-120-013) in Montecito, First District, as follows: (EST. TIME: 24 MIN.)

- a) Deny the appeal, Case No. 10APL-00000-00008, thereby upholding the Montecito Planning Commission's denial of 09LUP-00000-00381;
- b) Make the required findings for denial of the project;
- c) Approve the Notice of Exemption pursuant to CEQA Guidelines Section 15270; and
- d) Deny the project, 09LUP-00000-00381.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 6:55 P.M. - 7:05 P.M. (10 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: September 21, 2010 in Santa Barbara (EST. TIME: 24 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

11) PLANNING AND DEVELOPMENT[10-00212](#)

HEARING - Consider recommendations regarding the NextG appeal (Case No. 10APL-00000-00005) of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB06 permit, Case No. 09CDP-00000-00053 located in the public right of way of Olive Mill Road (adjacent to APN 009-230-027) in Montecito, First District, as follows: (EST. TIME: 24 MIN.)

- a) Deny the appeal, Case No. 10APL-00000-00005, thereby upholding the Montecito Planning Commission's denial of 09CDP-00000-00053;
- b) Make the required findings for denial of the project;
- c) Approve the Notice of Exemption pursuant to CEQA Guidelines Section 15270; and
- d) Deny the project, 09CDP-00000-00053.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 6:55 P.M. - 7:05 P.M. (10 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: September 21, 2010 in Santa Barbara (EST. TIME: 24 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

12) PLANNING AND DEVELOPMENT[10-00207](#)

HEARING - Consider recommendations regarding the NextG appeal (Case No. 10APL-00000-00004) of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB08 permit, Case No. 09LUP-00000-00317 located in the public right of way of Olive Mill Road (adjacent to APN 009-640-001) in Montecito, First District, as follows: (EST. TIME: 24 MIN.)

- a) Deny the appeal, Case No. 10APL-00000-00004, thereby upholding the Montecito Planning Commission's denial of 09LUP-00000-00317;
- b) Make the required findings for denial of the project;
- c) Approve the Notice of Exemption pursuant to CEQA Guidelines Section 15270; and
- d) Deny the project, 09LUP-00000-00317.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 6:55 P.M. - 7:05 P.M. (10 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: September 21, 2010 in Santa Barbara (EST. TIME: 24 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

13) PLANNING AND DEVELOPMENT[10-00214](#)

HEARING - Consider recommendations regarding the NextG appeal (Case No. 10APL-00000-00003) of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB09 permit, Case No. 09CDP-00000-00055 located in the public right of way of North Jameson Road at its intersection with San Ysidro (adjacent to APN 009-262-003) in Montecito, First District, as follows: (EST. TIME: 24 MIN.)

- a) Deny the appeal, Case No. 10APL-00000-00003, thereby upholding the Montecito Planning Commission's denial of 09CDP-00000-00055;
- b) Make the required findings for denial of the project;
- c) Approve the Notice of Exemption pursuant to CEQA Guidelines Section 15270; and
- d) Deny the project, 09CDP-00000-00055.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 6:55 P.M. - 7:05 P.M. (10 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: September 21, 2010 in Santa Barbara (EST. TIME: 24 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

14) PLANNING AND DEVELOPMENT[10-00210](#)

HEARING - Consider recommendations regarding the NextG appeal (Case No. 10APL-00000-00002) of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB13 permit, Case No. 09CDP-00000-00056 located in the public right of way of N. Jameson Lane (adjacent to APN 007-350-010) in Montecito, First District, as follows: (EST. TIME: 24 MIN.)

- a) Deny the appeal, Case No. 10APL-00000-00002, thereby upholding the Montecito Planning Commission's denial of 09CDP-00000-00056;
- b) Make the required findings for denial of the project;
- c) Approve the Notice of Exemption pursuant to CEQA Guidelines Section 15270; and
- d) Deny the project, 09CDP-00000-00056.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 6:55 P.M. - 7:05 P.M. (10 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: September 21, 2010 in Santa Barbara (EST. TIME: 24 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

15) PLANNING AND DEVELOPMENT[10-00205](#)

HEARING - Consider recommendations regarding the NextG appeal (Case No. 10APL-00000-00006) of the Montecito Planning Commission's January 27, 2010 denial of the NextG Cellular Antenna ESB14 permit, Case No. 09LUP-00000-00319 located in the public right of way of Sheffield Drive (adjacent to APN 007-460-001) in Montecito, First District, as follows: (EST. TIME: 24 MIN.)

- a) Deny the appeal, Case No. 10APL-00000-00006, thereby upholding the Montecito Planning Commission's denial of 09LUP-00000-00317;
- b) Make the required findings for denial of the project;
- c) Approve the Notice of Exemption pursuant to CEQA Guidelines Section 15270; and
- d) Deny the project, 09LUP-00000-00317.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 6:55 P.M. - 7:05 P.M. (10 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: September 21, 2010 in Santa Barbara (EST. TIME: 24 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

16) PLANNING AND DEVELOPMENT[10-00662](#)

HEARING - Consider recommendations regarding the NextG appeal (Case No. 10APL-00000-00012) of the Montecito Planning Commission's April 28, 2010 denial of the NextG Cellular Antenna ESB15 permit, Case No. 09LUP-00000-00320 located in the public right of way of School House Road (adjacent to APN 009-080-007) in Montecito, First District, as follows: (EST. TIME: 24 MIN.)

- a) Deny the appeal, Case No. 10APL-00000-00012, thereby upholding the Montecito Planning Commission's denial of 09LUP-00000-00320;
- b) Make the required findings for denial of the project;
- c) Approve the Notice of Exemption pursuant to CEQA Guidelines Section 15270; and
- d) Deny the project, 09LUP-00000-00320.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 6:55 P.M. - 7:05 P.M. (10 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: September 21, 2010 in Santa Barbara (EST. TIME: 24 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

17) PLANNING AND DEVELOPMENT[10-00663](#)

HEARING - Consider recommendations regarding the Shefflin appeal (Case No. 10APL-00000-00009) of the Montecito Planning Commission's February 24, 2010 approval of the NextG Cellular Antenna ESB18 permit, Case No. 09CDH-00000-00030 located in the public right of way of San Leandro Lane (adjacent to APN 007-300-006) in Montecito, First District, as follows: (EST. TIME: 24 MIN.)

- a) Uphold the appeal, Case No. 10APL-00000-00009, thereby overturning the Montecito Planning Commission's approval of 09CDH-00000-00030;
- b) Make the required findings for denial of the project;
- c) Approve the Notice of Exemption pursuant to CEQA Guidelines Section 15270; and
- d) Deny the project, 09CDH-00000-00030.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 6:55 P.M. - 7:05 P.M. (10 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: September 21, 2010 in Santa Barbara (EST. TIME: 24 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

18) PLANNING AND DEVELOPMENT10-00664

HEARING - Consider recommendations regarding the NextG appeal (Case No. 10APL-00000-00015) of the Montecito Planning Commission's June 10, 2010 denial of the NextG Trenching ESBUEK39 permit, Case No. 10CDH-00000-00012 located in the public road rights of way of N. Jameson Lane, Ortega Hill Road, Sheffield Drive and San Leandro Lane, in the Montecito area, First District, as follows: (EST. TIME: 30 MIN.)

- a) Grant the appeal, Case No. 10APL-00000-00015, thereby overturning the Montecito Planning Commission's denial of 10CDH-00000-00012;
- b) Make the required findings for approval of the project;
- c) Approve the Notice of Exemption prepared by the California Public Utilities Commission, July 20, 2009, citing the State CEQA Guidelines Sections 15061(b)(3), 15301(b), 15301(c), 15302(c), and 15304(f); and
- d) Approve the project subject to the conditions.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 7:15 P.M. - 8:25 P.M. (1 HR., 10 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Granted the appeal, Case No. 10APL-00000-00015, thereby overturning the Montecito Planning Commission's denial of 10CDH-00000-00012;**
- b) Made the required findings for approval of the project;**
- c) Approved the Notice of Exemption; and**
- d) Approved the project subjection to the conditions.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Adjourned at 7:35 PM**The Board of Supervisors Adjourned the Meeting of August 3, 2010 in Memory of
Charles (Bud) E. Leaf of Lompoc.****Adjourned to****August 9, 2010****SPECIAL MEETING****1404 De La Vina Street, Santa Barbara****Announcements**

The meeting of Tuesday, August 3, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, August 5, 2010, at 5:00 PM and on Saturday, August 7, 2010, at 10:00 AM on CSBTV Channel 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON THE FOLLOWING DATES: TUESDAY, AUGUST 17, 2010; TUESDAY, AUGUST 24, 2010; AND TUESDAY, AUGUST 31, 2010 (THIS IS A FIFTH TUESDAY ORDINANCE NO. 3352).

<http://www.countyofsb.org>