

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, September 21, 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 9:12 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[10-00860](#)

Closed Session Agenda

County Counsel report that, by a vote of 3-2 (To Decline: 3 - First District, Second District and Third District and To Appeal: 2 - Fourth District and Fifth District) the Board took the following action:

In *Pappas v. County of Santa Barbara*, the Board declined to seek appellant review in this matter.

Unanimously appointed Interim Public Defender.

Details of this announcement may be obtained from the Office of County Counsel.

Approval of Minutes of the September 7, 2010 Meeting

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, 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) BOARD OF SUPERVISORS****10-00817**

Adopt a Resolution of Commendation honoring Edwin (Eddie) Ando and Brad Spencer of the Public Works Department as the September 2010 Santa Barbara County Employees of the Month.

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

RESOLUTION NO. 10-240

The motion carried by the following vote:

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

A-2) SUPERVISOR CARBAJAL[10-00825](#)

Adopt a Resolution proclaiming September 15, 2010 through October 15, 2010 as Hispanic Heritage Month in Santa Barbara County.

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

RESOLUTION NO. 10-241

The motion carried by the following vote:

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

A-3) SUPERVISOR CARBAJAL, SUPERVISOR FARR[10-00838](#)

Adopt a Resolution commemorating the 50th anniversary of the Peace Corps.

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

RESOLUTION NO. 10-242

The motion carried by the following vote:

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

A-4) SUPERVISOR CARBAJAL, SUPERVISOR CENTENO**[10-00813](#)**

Adopt a Resolution proclaiming the month of September 2010 as National Alcohol and Drug Addiction Recovery Month in Santa Barbara County.

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

RESOLUTION NO. 10-243

The motion carried by the following vote:

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

A-5) SUPERVISOR CENTENO**[10-00811](#)**

Adopt a Resolution proclaiming the week of September 20, 2010 through September 25, 2010 as Peace Week in the Santa Maria Valley.

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

RESOLUTION NO. 10-244

The motion carried by the following vote:

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

Honorary Resolutions**A-6) SUPERVISOR FARR****[10-00812](#)**

Adopt a Resolution of Commendation honoring Lieutenant Phil Willis upon his retirement from the Sheriff's Department after over 30 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 10-245

The motion carried by the following vote:

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

A-7) SUPERVISOR GRAY**[10-00816](#)**

Adopt a Resolution of Commendation honoring Senior Deputy Christine Marie Burns, Special Duty, upon her retirement from the Sheriff's Department after 29 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 10-246

The motion carried by the following vote:

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

A-8) SUPERVISOR CENTENO**[10-00810](#)**

Adopt a Resolution of Commendation recognizing Ken George as the recipient of the Family Care Network's 2010 Circle of Serving Award.

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

RESOLUTION NO. 10-247

The motion carried by the following vote:

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

A-9) SUPERVISOR CENTENO**[10-00820](#)**

Adopt a Resolution of Commendation honoring John Stanley Roberts on his 100th birthday.

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

RESOLUTION NO. 10-248

The motion carried by the following vote:

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

A-10) SUPERVISOR CENTENO**[10-00832](#)**

Adopt a Resolution of Commendation honoring Lieutenant Julio Santana upon his retirement from the Sheriff's Department after over 29 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 10-249

The motion carried by the following vote:

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

Administrative Items**A-11) AGRICULTURAL COMMISSIONER****[10-00818](#)**

Approve and authorize the Chair to execute an agreement with the California Department of Food and Agriculture to support the Glassy-winged Sharpshooter/Pierce's Disease Program, for the period of July 1, 2006 through June 30, 2012, in the amount of \$318,687.23.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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-12) AUDITOR-CONTROLLER**[10-00826](#)**

Receive and file the County of Santa Barbara's Comprehensive Annual Financial Report (CAFR) and Financial Highlights for the Fiscal Year ended June 30, 2010.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, that this matter be Received and filed. The motion carried by the following vote:

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

A-13) COUNTY EXECUTIVE OFFICE**[10-00849](#)**

Approve Budget Revision Requests (SEE EXHIBIT A WITH POSTED AGENDA). (4/5 Vote Required).

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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

A-14) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS, FLOOD
CONTROL AND WATER CONSERVATION DISTRICT

[10-00850](#)

Approve Budget Revision Requests (SEE EXHIBIT B WITH POSTED AGENDA). (4/5
Vote Required).

**A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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

A-15) PARKS

[10-00839](#)

Consider recommendations regarding an application for grant funds from the Recreational
Trails Program to fund the Franklin Trail, Carpinteria Area, First District, as follows:

a) Adopt a Resolution approving the filing of an application for grant funds from the
Recreational Trails Program administered by the State Department of Parks and Recreation
for funding to design and develop the Franklin Trail; and

b) Authorize the Director of Parks to act as agent for the County of Santa Barbara to conduct
all negotiations, execute and submit all documents including, but not limited to applications,
agreements and payments, which may be necessary for the completion of the project.

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

a) Adopted; and

RESOLUTION NO. 10-250

b) Authorized.

The motion carried by the following vote:

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

A-16) PARKS[10-00840](#)

Consider recommendations regarding construction of the Jalama Beach Park Leach Field Expansion, Project No. D24022, Fourth District, as follows: (4/5 Vote Required)

a) Authorize the Director of Parks to advertise the construction of Jalama Beach Park Leach Field Expansion, Project No. D24022; and

b) Approve the Jalama Leach Field Budget Revision Request for \$300,185.00 to increase appropriation in Parks Capital Outlay (Fund 0030) project 8609.

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

a) Authorized; and

b) Approved.

The motion carried by the following vote:

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

A-17) PARKS[10-00841](#)

Consider recommendations regarding construction of the Lake Cachuma Park Fire Protection System, New Water Storage Reservoir, and Re-roofing Improvements to the existing Reservoir, Project No. D00106, Third District, as follows: (4/5 Vote Required)

- a) Approve the Project and the Plans and Specifications for construction of the Lake Cachuma Park Fire Protection System, New Water Storage Reservoir, and Re-roofing Improvements to the existing Reservoir;
- b) Authorize the Director of Parks to advertise construction of the Lake Cachuma Park Fire Suppression Water Storage Reservoir and Re-roofing of the existing Potable Water Reservoir; and
- c) Approve Budget Revision Request No. 0001076, for \$1,461,859.00 to increase appropriation in Parks Capital Outlay (Fund 0030) projects 8624AR, and 8437A.

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

- a) Approved;**
- b) Authorized; and**
- c) Approved.**

The motion carried by the following vote:

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

A-18) PARKS[10-00827](#)

Approve and authorize the Chair to execute a Grant Contract Agreement with the City of Santa Barbara for the period of July 1, 2010 through June 30, 2011, for implementation of the Community Arts grant program, Community Events and Festival funding, Organizational Development grants, and staffing costs in the amount of \$427,260.00.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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-19) PARKS[10-00848](#)

Authorize the Director of Parks to initiate preliminary engineering studies for the Goleta Beach 2.0 concept plan, Second District.

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

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

A-20) PLANNING AND DEVELOPMENT**10-00703**

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 Farr, seconded by Supervisor Gray, that this matter be Adopted.

Adopted.

ORDINANCE NO. 4759

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Noes: 1 - Supervisor Wolf

A-21) PUBLIC HEALTH**10-00831**

Authorize the Public Health Department Director to execute acceptance of a Base Award for tuberculosis (TB) prevention and control activities in the amount of \$110,422.00, and an allotment of up to \$5,029.00 for Food, Shelter, Incentives and Enablers (FSIE) expenditures, from the California Department of Public Health Tuberculosis Control Branch for the period of July 1, 2010 through June 30, 2011, for a total amount not to exceed \$115,451.00.

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

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

A-22) PUBLIC WORKS[10-00842](#)

Consider recommendations regarding a Professional Services Agreement for Jalama Road Mile Post 4.4 Storm Damage Repair, Project No. 862258, Third District, as follows:

a) Approve and authorize the Chair to execute a Professional Services Agreement with MGE Engineering Inc. (not a local vendor), Sacramento, California, for storm damage repair engineering design work in the amount of \$151,648.00 for Jalama Road Mile Post 4.4; and

b) Authorize the Director of Public Works to approve Amendments to the Agreement for supplemental work up to \$15,164.00.

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

a) Approved; Chair to execute; and

b) Authorized.

The motion carried by the following vote:

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

A-23) PUBLIC WORKS[10-00843](#)

Approve and authorize the Chair to execute Amendment No. 1 to the existing Professional Consulting Services Agreement with KOA Corporation (not a local vendor), dated March 26, 2009, for the preparation of the 2009 Goleta Transportation Improvement Plan, providing for a two-year contract extension through June 30, 2012, Second and Third Districts.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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-24) PUBLIC WORKS**10-00844**

Approve the Notice of Exemption for the Summerland Circulation Improvements Project, Phase 2B, County Project No. 862308, pursuant to the County's California Environmental Quality Act (CEQA) Guidelines Section 15301 (c), pertaining to maintenance and operation of existing facilities, First District.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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

A-25) PUBLIC WORKS**10-00846**

Consider recommendations regarding the sale and grant of a portion of Baseline Road fee, Santa Ynez, Third District, as follows:

- a) Approve the Notice of Exemption regarding the abandonment and sale of the fee ownership of a portion of land beneath Baseline Road, adjacent to 4815 Baseline Avenue, APN 141-070-019, in the unincorporated area of the County of Santa Barbara, pursuant to California Environmental Quality Act (CEQA) guidelines Section 15312, pertaining to the sale of Government surplus property and minor alterations of existing facilities;
- b) Approve and authorize the Chair to execute the Grant Deed Agreement with Reservations regarding the above referenced portion of Baseline Road fee; and
- c) Direct the County Surveyor to record the Grant Deed concurrently with Tentative Parcel Map No. 14,531 for the property.

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

a) Approved;

b) Approved: Chair to execute; and

c) Approved.

The motion carried by the following vote:

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

A-26) PUBLIC WORKS[10-00847](#)

Consider recommendations regarding the sale and grant of a portion of North Refugio Road fee, Santa Ynez, Third District, as follows:

- a) Approve the Notice of Exemption, pursuant to California Environmental Quality Act (CEQA) guidelines Section 15312, pertaining to minor alteration of existing facilities (POST), regarding the sale of the fee underlying a portion of the North Refugio Road right-of-way, adjacent to APN 141-060-011 in the unincorporated area of the County of Santa Barbara, near Santa Ynez; and
- b) Approve and authorize the Chair to execute the Grant Deed with Reservations regarding the above referenced portion of the North Refugio Road fee running through or adjacent to Santa Barbara County APN 141-060-011.

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

a) Approved; 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-27) SHERIFF[10-00828](#)

Consider recommendations regarding an Abandoned Watercraft Abatement Fund (AWAF) grant, as follows: (4/5 Vote Required)

a) Accept the award of \$18,000.00 from the Abandoned Watercraft Abatement Fund (AWAF) for Fiscal Year 2010/2011; and

b) Approve Budget Revision Request No. 0001143, recognizing the grant award and appropriating the expenditure.

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

a) Accepted; and

b) Approved.

The motion carried by the following vote:

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

A-28) SHERIFF[10-00829](#)

Approve and authorize the Chair to execute an application for the destruction of accounting records no longer necessary or required for operations. (4/5 Vote Required)

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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

A-29) SHERIFF[10-00830](#)

Receive and file the annual Income Statement report for Inmate Services Program for Fiscal Year 2009/2010.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, that this matter be Received and filed. The motion carried by the following vote:

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

Board of SupervisorsA-30) SUPERVISOR WOLF[10-00822](#)

Approve the appointment of Gayle N. Binion to the Civil Service Commission, term ending May 1, 2014, Second District.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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

A-31) SUPERVISOR WOLF[10-00823](#)

Approve the appointment of Lesley Jane Masuda to the Advisory Board on Alcohol and Drug Problems, term ending January 3, 2012, Second District.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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

A-32) SUPERVISOR WOLF[10-00824](#)

Approve the appointment of Robert James Trimble to the Advisory Board on Alcohol and Drug Problems, term ending May 1, 2013, Second District.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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

A-33) SUPERVISOR WOLF[10-00834](#)

Approve the appointment of Angela Beth Swanson to the Commission for Women, term ending October 30, 2011, Second District.

A motion was made by Supervisor Gray, seconded by Supervisor Gray, 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

A-34) SUPERVISOR WOLF[10-00835](#)

Approve the appointment of Lucille T. Boss to the Human Services Commission, term ending June 30, 2011, Second District.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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

A-35) SUPERVISOR WOLF[10-00836](#)

Approve the reappointment of Stan Schwartz to the Fire Appeals Board, term ending April 1, 2011, Second District.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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

A-36) SUPERVISOR WOLF[10-00837](#)

Approve the reappointment of Judith E. Koper to the Assessment Appeals Board No. 2, term ending September 1, 2013, Second District.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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

A-37) SUPERVISOR CENTENO[10-00815](#)

Approve the reappointment of William E. Reeder to the Assessment Appeals Board No. 1, term ending September 1, 2013, Fifth District.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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-38) PLANNING AND DEVELOPMENT

[10-00833](#)

Set hearing to consider recommendations regarding the renewal, amendment and extension of the Montecito Growth Management Ordinance, Chapter 35B of the County Code, involving Case No. 09ORD-00000-00014, proposing to amend the existing Montecito Growth Management Ordinance (MGMO) and extend the program to December 31, 2030, and to certify that the MGMO Supplemental EIR has been completed in compliance with the California Environmental Quality Act (CEQA), First District, as follows:
(Set hearing for 10/5/10. Time estimate 1 hour.)

- a) Adopt the required findings including project findings, CEQA findings, and a Statement of Overriding Considerations for the project, including finding that the project and its environmental review has been completed in compliance with CEQA;
- b) Certify that the Final Supplemental Environmental Impact Report, 10EIR-00000-00003, including the September 1, 2010 Revision Letter, has been completed in compliance with CEQA as revisions to 92-EIR-03;
- c) Adopt an Ordinance, Case No. 09ORD-00000-00014, amending the text and extending the life of the Montecito Growth Management Ordinance (MGMO) to December 31, 2030; and
- d) Adopt a Resolution forwarding the MGMO renewal, amendments, and extension, Case No. 09ORD-00000-00014, to the California Coastal Commission as an amendment to the Local Coastal Program for the portion of the affected area in the Coastal Zone.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: October 5, 2010 in Santa Barbara (EST. TIME: 1 HR.). The motion carried by the following vote:

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

A-39) PUBLIC WORKS[10-00845](#)

Set hearing to consider recommendations regarding the County's exclusive Franchise Agreements for solid waste collection, Second, Third, Fourth, and Fifth Districts, as follows: (Set hearing for 9/28/10. Time estimate 45 minutes.)

a) Approve the distribution of the Request for Proposals (RFP) for solid waste collection in service zones 2, 4, and 5 to the three existing service providers (Allied, MarBorg, and Waste Management) including the proposed Franchise Agreement; and

b) Direct staff to return to the Board of Supervisors with Franchise Agreement award recommendations for service zones 2, 4, and 5 after a thorough evaluation of responses to the RFP.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: September 28, 2010 in Santa Maria (EST. TIME: 45 MIN.). The motion carried by the following vote:

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

A-40) PUBLIC WORKS**10-00819**

Set hearing to consider recommendations regarding the Agricultural Worker Transportation Program, Third, Fourth and Fifth Districts, as follows:

(Set hearing for 9/28/10. Time estimate 1 hour.)

- a) Receive and file progress report from the Public Works Department regarding the County's Agricultural Worker Transportation Program (AWTP);
- b) Receive a presentation from Ron Hughes, Executive Director of Kings County Area Public Transit Agency regarding CalVAN, a State-wide Vanpool Agency;
- c) Approve and authorize the Chair to execute a letter requesting that the SBCAG Board of Directors consider participation in CalVAN as the region's designated ride-share authority;
- d) Direct staff to return to the Board of Supervisors in the Spring of 2011 with a report from Caltrans on procedures for concluding the AWTP in an orderly manner, including directions on how to surplus or transfer assets and vans by June 30, 2011; and
- e) Approve and authorize the Chair to execute Amendment No. 2 to the Contract with the Santa Maria Organization of Transportation Helpers (SMOOTH), extending the contract term to June 30, 2011.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: September 28, 2010 in Santa Maria (EST. TIME: 1 HR.). 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: 9:18 A.M. - 10:02 A.M. (44 MIN.)

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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: 10:03 A.M. - 10:20 A.M. (17 MIN.))

Re: Announced Emergency preparedness activities in Santa Ynez Valley and encouraged public participation / Santa Ynez High School disaster workshop / Danish Days Festival and Los Alamos Days - Third District Supervisor Doreen Farr Addressed the Board.

Re: Attended Guadalupe Parade and Salad Days Festival / Attendance meeting of CSAC Finance Corp. - Fourth District Supervisor Joni Gray Addressed the Board.

Re: Announcement of 5 awards presented to the County of Santa Barbara at this year's California State Association of Counties' Conference County Fifth District Supervisor Joe Centeno Addressed the Board.

Re: Introduced Raimundo Montes De Oca as Interim Public Defender, upon the retirement of Gregory C. Paraskou - Second District Supervisor Janet Wolf Addressed the Board.

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) (10-00001)

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

HEARING TIME: 10:32 A.M. - 10:39 A.M. (7 MIN.)

RE: Santa Barbara Film Commission - Geoff Alexander Addressed the Board.

RE: Racism - Dr. Robert L. Johns Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) **PARKS**

10-00783

HEARING - Consider recommendations regarding Amendments to Sections 26-37 of Chapter 26 of the County Code, as follows: (EST. TIME: 10 MIN.)

a) Consider the introduction (first reading) of an Ordinance amending Section 26-37 of Chapter 26 of the County Code to clarify the definitions that would allow the use of certain pieces of sporting equipment in County Parks for purposes in line with State Department of Fish and Game Regulations, and serve to improve conditions at County Parks such as Cachuma Lake; ~~and~~

b) Set a hearing for September 28, 2010 on the Administrative Agenda to consider the adoption (second reading) of an Ordinance amending Section 26-37 of Chapter 26 of the County Code; and

c) Upon adoption, approve a Notice of Exemption pursuant to California Environmental Quality Act (CEQA) guidelines, Section 15061(b) (3), finding that the Ordinance is not subject to CEQA because of the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and further find that there is no possibility that the enactment of the Ordinance may have a significant effect on the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:40 A.M. - 10:51 A.M. (11 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) Read title, waived reading of Ordinance in it's entirety. Introduction approved; adoption (second reading) set for September 28, 2010.

b) Set hearing on the Administrative Agenda for September 28, 2010 in Santa Maria.

c) Authorized.

The motion carried by the following vote:

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

2) SHERIFF[10-00805](#)

HEARING - Consider recommendations regarding a Permit Parking Program Ordinance, as follows: (EST. TIME: 10 MIN.)

a) Consider the introduction (first reading) of an Ordinance amending County Code section 23B-8(e) of Chapter 23B (Permit Parking Program), changing the annual renewal cycle to a three (3) year renewal cycle; and

b) Set hearing for September 28, 2010 on the Administrative Agenda to consider the adoption (second reading) of an Ordinance amending County Code section 23B-8(e) of Chapter 23B (Permit Parking Program), changing the annual renewal cycle to a three (3) year renewal cycle.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:52 A.M. - 10:58 A.M. (6 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Read title, waived reading of Ordinance in it's entirety. Introduction approved; adoption (second reading) set for September 28, 2010.

b) Set hearing on the Administrative Agenda for September 28, 2010 in Santa Maria.

The motion carried by the following vote:

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

3) TREASURER-TAX COLLECTOR10-00769

HEARING - Consider recommendations regarding an Ordinance delegating investment authority to the Santa Barbara County Treasurer, adopting eligibility criteria for the office of Treasurer-Tax Collector, and adopting continuing education requirements for the office of Treasurer-Tax Collector, as follows: (EST. TIME: 10 MIN.)

a) Consider the introduction (first reading) of an Ordinance adding Sections 2-24.8, 2-24.9, and 2-24.10 to the County Code delegating authority to the County Treasurer-Tax Collector to invest and reinvest funds of the County and other depositors, adopting eligibility criteria for the office of Treasurer-Tax Collector, and adopting continuing education requirements for the office of Treasurer-Tax Collector;

b) Set a hearing on the Administrative Agenda of September 28, 2010 to consider recommendations as follows:

i) Consider the adoption (second reading) of an Ordinance adding Sections 2-24.8, 2-24.9, and 2-24.10 to the County Code delegating authority to the County Treasurer-Tax Collector to invest and reinvest funds of the County and other depositors, adopting eligibility criteria for the office of Treasurer-Tax Collector, and adopting continuing education requirements for the office of Treasurer-Tax Collector; and

ii) Approve the Notice of Exemption, pursuant to Section 15060(c)(2) of the California Environmental Quality Act Guidelines (CEQA).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 11:00 A.M. - 11:10 A.M. (10 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) Read title, waived reading of Ordinance in it's entirety.
Introduction approved, adoption (second reading) set for September 28, 2010.**

b) i) & ii) Set hearing on Administration Agenda for September 28, 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

4) HOUSING AND COMMUNITY DEVELOPMENT[10-00743](#)

HEARING - Consider recommendations regarding the Santa Barbara South Coast Tourism Business Improvement District, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file a report on the potential formation of the Santa Barbara South Coast Tourism Business Improvement District;
- b) Consider the adoption of a Resolution granting consent to the City of Santa Barbara to form the Santa Barbara South Coast Tourism Business Improvement District that would include part of the unincorporated area of the County; and
- c) If the Board adopts the Resolution of Consent, approve a Notice of Exemption pursuant to California Environmental Quality Act (CEQA) guidelines, Sections 15060(c)(3) and 15378(b)(4).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 11:16 A.M. - 11:26 A.M. (10 MIN.)

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

- a) Received and filed staff presentation and conducted public hearing.**
- b) Adopted a Resolution of Consent, amended as follows:**

First Paragraph, last sentence to read as follows:

"Attached as Exhibit A is the SBSCTBID Management District Plan dated, September 15, 2010; and"

Last paragraph, last sentence to read as follows:

"County of Santa Barbara, State of California, held on this 21st day of September, 2010, by the following vote:"

RESOLUTION NO. 10-251

- c) Approved.**

The motion carried by the following vote:

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

Noes: 1 - Supervisor Farr

5) 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) Uphold the appeal, Case No. 10APL-00000-00007, thereby overturning the Montecito Planning Commission's denial of 09CDP-00000-00052;
- b) Make the required findings for approval of Case No. 09CDP-00000-00052;
- c) Accept the exemptions to CEQA described in the Notices of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, as adequate for this project pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c), 15303, and 15304(f) of the CEQA Guidelines; and
- d) Grant de novo approval of Case No. 09CDP-00000-00052 as revised, subject to the conditions of approval of the permit.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:30 P.M. - 3:00 P.M. (90 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 as follows:

- a) Upheld appeal of Case No. 10APL-00000-00007, overturning the Montecito Planning Commission's denial of 09CDP-00000-00052;
- b) Approved the required findings for approval of the permit;
- c) Accepted the exemptions to CEQA described in the Notices of Exemptions; and
- d) Granted de novo approval of Case No. 09CDP-00000-00052 as revised for underground vaulting of support equipment, subject to the conditions of the approval of the permit.

Directed staff to include requirements to:

- 1) remove remaining excess wire coils where already in place on some sites; and
- 2) vegetation to be installed, where feasible, to shield vaulting.
- 3) use color to camouflage vault surface.

Further directed staff to return as appropriate with draft language to revise current County Telecommunications Ordinance regarding issues of conditional approval, BAR participation and additional concerns outlined in previous direction from the Board.

The motion carried by the following vote:

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

6) PLANNING AND DEVELOPMENT10-00202

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) Uphold the appeal, Case No. 10APL-00000-00008, thereby overturning the Montecito Planning Commission's denial of 09LUP-00000-00381;
- b) Make the required findings for approval of Case No. 09LUP-00000-00381;
- c) Accept the exemptions to CEQA described in the Notices of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, as adequate for this project pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c), 15303, and 15304(f) of the CEQA Guidelines; and
- d) Grant de novo approval of Case No. 09LUP-00000-00381 as revised, subject to the conditions of approval of the permit.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:30 P.M. - 3:00 P.M. (90 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 as follows:

- a) Upheld appeal of Case No. 10APL-00000-00008, overturning the Montecito Planning Commission's denial of 09CDP-00000-00381;
- b) Approved the required findings for approval of the permit;
- c) Accepted the exemptions to CEQA described in the Notices of Exemptions; and
- d) Granted de novo approval of Case No. 09CDP-00000-00381 as revised for underground vaulting of support equipment, subject to the conditions of the approval of the permit.

Directed staff to include requirements to:

- 1) remove remaining excess wire coils where already in place on some sites; and
- 2) vegetation to be installed, where feasible, to shield vaulting.
- 3) use color to camouflage vault surface.

Further directed staff to return as appropriate with draft language to revise current County Telecommunications Ordinance regarding issues of conditional approval, BAR participation and additional concerns outlined in previous direction from the Board.

The motion carried by the following vote:

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

7) PLANNING AND DEVELOPMENT10-00212

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.)

1) Staff Recommended Action:

- a) Uphold the appeal, Case No. 10APL-00000-00005, thereby overturning the Montecito Planning Commission's denial of 09CDP-00000-00053;
- b) Make the required findings for approval of Case No. 09CDP-00000-00053;
- c) Accept the exemption to CEQA described in the Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, as adequate for this project pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c), and 15304(f) of the CEQA Guidelines; and
- d) Grant de novo approval of Case No. 09CDP-00000-00053 as revised, subject to the conditions of approval of the permit; or

2) Alternative Action for Underground Vault with Retaining Wall:

- a) Uphold the appeal, Case No. 10APL-00000-00005, thereby overturning the Montecito Planning Commission's denial of 09CDP-00000-00053;
- b) Make the required findings for approval of Case No. 09CDP-00000-00053;
- c) Accept the exemptions to CEQA described in the Notices of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, as adequate for this project pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c), 15303, and 15304(f) of the CEQA Guidelines; and
- d) Grant de novo approval of Case No. 09CDP-00000-00053, as revised, subject to the conditions of approval of the permit.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:30 P.M. - 3:00 (90 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 as follows:

- a) Upheld appeal of Case No. 10APL-00000-00005, overturning the Montecito Planning Commission's denial of 09CDP-00000-00053;
- b) Approved the required findings for approval of the permit;
- c) Accepted the exemptions to CEQA described in the Notices of Exemptions; and
- d) Granted de novo approval of Case No. 09CDP-00000-00053 as revised for pole mounts of support equipments, subject to the conditions of the approval of the permit.

Directed staff to include requirements to:

- 1) remove remaining excess wire coils where already in place on some sites; and
- 2) vegetation to be installed, where feasible, to shield vaulting.
- 3) use color to camouflage vault surface.

Further directed staff to return as appropriate with draft language to revise current County Telecommunications Ordinance regarding issues of conditional approval, BAR participation and additional concerns outlined in previous direction from the Board.

The motion carried by the following vote:

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

8) 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) Uphold the appeal, Case No. 10APL-00000-00004, thereby overturning the Montecito Planning Commission's denial of 09LUP-00000-00317;

b) Make the required findings for approval of Case No. 09LUP-00000-00317;

c) Accept the exemptions to CEQA described in the Notices of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, as adequate for this project pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c), 15303, and 15304(f) of the CEQA Guidelines; and

d) Grant de novo approval of Case No. 09LUP-00000-00317 as revised, subject to the conditions of approval of the permit.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:30 P.M. - 3:00 P.M. (90 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 as follows:

- a) Upheld appeal of Case No. 10APL-00000-00004, overturning the Montecito Planning Commission's denial of 09CDP-00000-00317;
- b) Approved the required findings for approval of the permit;
- c) Accepted the exemptions to CEQA described in the Notices of Exemptions; and
- d) Granted de novo approval of Case No. 09CDP-00000-00317 as revised for underground vaulting of support equipment, subject to the conditions of the approval of the permit.

Directed staff to include requirements to:

- 1) remove remaining excess wire coils where already in place on some sites; and
- 2) vegetation to be installed, where feasible, to shield vaulting.
- 3) use color to camouflage vault surface.

Further directed staff to return as appropriate with draft language to revise current County Telecommunications Ordinance regarding issues of conditional approval, BAR participation and additional concerns outlined in previous direction from the Board.

The motion carried by the following vote:

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

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

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) Uphold the appeal, Case No. 10APL-00000-00003, thereby overturning the Montecito Planning Commission's denial of 09CDP-00000-00055;
- b) Make the required findings for approval of Case No. 09CDP-00000-00055;
- c) Accept the exemptions to CEQA described in the Notices of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, as adequate for this project pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c), 15303, and 15304(f) of the CEQA Guidelines; and
- d) Grant de novo approval of Case No. 09CDP-00000-00055 as revised, subject to the conditions of approval of the permit.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:30 P.M. - 3:00 P.M. (90 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 as follows:

- a) Upheld appeal of Case No. 10APL-00000-00003, overturning the Montecito Planning Commission's denial of 09CDP-00000-00055;
- b) Approved the required findings for approval of the permit;
- c) Accepted the exemptions to CEQA described in the Notices of Exemptions; and
- d) Granted de novo approval of Case No. 09CDP-00000-00055 as revised for underground vaulting of support equipment, subject to the conditions of the approval of the permit.

Directed staff to include requirements to:

- 1) remove remaining excess wire coils where already in place on some sites; and
- 2) vegetation to be installed, where feasible, to shield vaulting.
- 3) use color to camouflage vault surface.

Further directed staff to return as appropriate with draft language to revise current County Telecommunications Ordinance regarding issues of conditional approval, BAR participation and additional concerns outlined in previous direction from the Board.

The motion carried by the following vote:

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

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

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) Uphold the appeal, Case No. 10APL-00000-00002, thereby overturning the Montecito Planning Commission's denial of 09CDP-00000-00056;
- b) Make the required findings for approval of Case No. 09CDP-00000-00056;
- c) Accept the exemptions to CEQA described in the Notices of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, as adequate for this project pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c), 15303, and 15304(f) of the CEQA Guidelines; and
- d) Grant de novo approval of Case No. 09CDP-00000-00056 as revised, subject to the conditions of approval of the permit.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:30 P.M. - 3:00 P.M. (90 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 as follows:

- a) Upheld appeal of Case No. 10APL-00000-00002, overturning the Montecito Planning Commission's denial of 09CDP-00000-00056;
- b) Approved the required findings for approval of the permit;
- c) Accepted the exemptions to CEQA described in the Notices of Exemptions; and
- d) Granted de novo approval of Case No. 09CDP-00000-00056 as revised for underground vaulting of support equipment, subject to the conditions of the approval of the permit.

Directed staff to include requirements to:

- 1) remove remaining excess wire coils where already in place on some sites; and
- 2) vegetation to be installed, where feasible, to shield vaulting.
- 3) use color to camouflage vault surface.

Further directed staff to return as appropriate with draft language to revise current County Telecommunications Ordinance regarding issues of conditional approval, BAR participation and additional concerns outlined in previous direction from the Board.

The motion carried by the following vote:

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

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

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.)

1) Staff Recommended Action:

- a) Uphold the appeal, Case No. 10APL-00000-00006, thereby overturning the Montecito Planning Commission's denial of 09LUP-00000-00319;
- b) Make the required findings for approval of Case No. 09LUP-00000-00319;
- c) Accept the exemption to CEQA described in the Notice of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, as adequate for this project pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c), and 15304(f) of the CEQA Guidelines; and
- d) Grant de novo approval of Case No. 09LUP-00000-00319 as revised, subject to the conditions of approval of the permit; or

2) Alternative Action for Underground Vault with Retaining Wall:

- a) Uphold the appeal, Case No. 10APL-00000-00006, thereby overturning the Montecito Planning Commission's denial of 09LUP-00000-00319;
- b) Make the required findings for approval of Case No. 09LUP-00000-00319;
- c) Accept the exemptions to CEQA described in the Notices of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, as adequate for this project pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c), 15303, and 15304(f) of the CEQA Guidelines; and
- d) Grant de novo approval of Case No. 09LUP-00000-00319, as revised, subject to the conditions of approval of the permit.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:30 P.M. - 3:00 P.M. (90 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 as follows:

- a) Upheld appeal of Case No. 10APL-00000-00006, overturning the Montecito Planning Commission's denial of 09CDP-00000-00319;
- b) Approved the required findings for approval of the permit;
- c) Accepted the exemptions to CEQA described in the Notices of Exemptions; and
- d) Granted de novo approval of Case No. 09CDP-00000-00319 as revised for pole mounts of support equipments, subject to the conditions of the approval of the permit.

Directed staff to include requirements to:

- 1) remove remaining excess wire coils where already in place on some sites; and
- 2) vegetation to be installed, where feasible, to shield vaulting.
- 3) use color to camouflage vault surface.

Further directed staff to return as appropriate with draft language to revise current County Telecommunications Ordinance regarding issues of conditional approval, BAR participation and additional concerns outlined in previous direction from the Board.

The motion carried by the following vote:

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

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

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

- a) Deny the appeal, Case No. 10APL-00000-00009, thereby upholding the Montecito Planning Commission's approval of 09CDH-00000-00030;
- b) Make the required findings for approval of Case No. 09CDH-00000-00030;
- c) Accept the exemptions to CEQA described in the Notices of Exemption prepared and adopted by the Public Utilities Commission, the lead agency, as adequate for this project pursuant to sections 15061(b)(3), 15301(b), 15301(c), 15302(c), 15303, and 15304(f) of the CEQA Guidelines; and
- d) Grant de novo approval of Case No. 09CDH-00000-00030 as revised, subject to the conditions of approval of the permit.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:30 P.M. - 3:00 P.M. (90 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 as follows:

- a) Upheld appeal of Case No. 10APL-00000-00009, overturning the Montecito Planning Commission's denial of 09CDP-00000-00030;
- b) Approved the required findings for approval of the permit;
- c) Accepted the exemptions to CEQA described in the Notices of Exemptions; and
- d) Granted de novo approval of Case No. 09CDP-00000-00030 as revised for underground vaulting of support equipment, subject to the conditions of the approval of the permit.

Directed staff to include requirements to:

- 1) remove remaining excess wire coils where already in place on some sites; and
- 2) vegetation to be installed, where feasible, to shield vaulting.
- 3) use color to camouflage vault surface.

Further directed staff to return as appropriate with draft language to revise current County Telecommunications Ordinance regarding issues of conditional approval, BAR participation and additional concerns outlined in previous direction from the Board.

The motion carried by the following vote:

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

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

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) Determine the project is exempt from CEQA pursuant to CEQA Guidelines Section 15270; and

d) Deny the project, 09LUP-00000-00320.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 3:20 P.M. - 3:26 P.M. (16 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 as follows:

a) through d) No action taken.

Accepted Applicant's withdrawal.

The motion carried by the following vote:

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

14) PLANNING AND DEVELOPMENT[10-00773](#)

HEARING - Consider recommendations regarding the NextG appeal, (Case No. 10APL-00000-00017) of the Montecito Planning Commission's July 28, 2010 denial of the NextG Cellular Antenna ESB11 permit, Case No. 10CDP-00000-00032 located in the public right of way of Santa Rosa Lane (adjacent to APN 007-290-006) in Montecito, First District, as follows: (EST. TIME: 24 MIN.)

a) Deny the appeal, Case No. 10APL-00000-00017, thereby upholding the Montecito Planning Commission's denial of 10CDP-00000-00032;

b) Make the required findings for denial of the project;

c) Determine the project is exempt from CEQA pursuant to CEQA Guidelines Section 15270; and

d) Deny the project, 10CDP-00000-00032.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 3:20 P.M. - 3:26 P.M. (16 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 as follows:

a) through d) No action taken.

Accepted Applicant's withdrawal.

The motion carried by the following vote:

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

Adjourned at 3:45 PM

The Board of Supervisor Closed the Meeting of September 21, 2010 in Honor of Mike Draper of Nipomo.

Adjourned to

September 28, 2010

Betteravia Government Center

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

Announcements

The meeting of Tuesday, September 21, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, September 23, 2010, at 5:00 PM and on Saturday, September 25, 2010, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>