

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

Chandra L. Wallar, County Executive Officer

Action Summary

Tuesday, December 14, 2010

9:00 AM

BETTERAVIA GOVERNMENT CENTER
BOARD HEARING ROOM
511 EAST LAKESIDE PARKWAY, SANTA MARIA

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: 9:23 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

[10-01098](#)

Closed Session Agenda

No reportable action taken.

Approval of Minutes of the December 7, 2010 Meeting

**A motion was made by Supervisor Carbajal, 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 CENTENO****[10-01078](#)**

Adopt a Resolution of Commendation honoring Carmen Solis upon her retirement from the Department of Child Support Services after 25 years of tireless service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 10-320

The motion carried by the following vote:

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

Honorary Resolutions**A-2) SUPERVISOR CARBAJAL****[10-01032](#)**

Adopt a Resolution of Commendation honoring Jo Le Glisson upon her retirement from the Sheriff's Department after over 18 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 10-321

The motion carried by the following vote:

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

A-3) SUPERVISOR WOLF**[10-01081](#)**

Adopt a Resolution of Commendation honoring Hardeep Ahdi as the 2009 Goleta Teen of the Year.

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

RESOLUTION NO. 10-322

The motion carried by the following vote:

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

Administrative Items**A-4) COUNTY CLERK-RECORDER-ASSESSOR****[10-01076](#)**

Receive and file the Certification of Results for the Consolidated General Election held on November 2, 2010, as required by law.

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-5) COUNTY COUNSEL**[10-01075](#)**

Approve and authorize the Chair to execute Amendment No. 3 to the Agreement for Professional Legal Services with outside tax legal counsel, Ice Miller LLP, extending the term of the Agreement to December 31, 2012, but not increasing the previously approved contract amount of \$331,000.00. (4/5 Vote Required)

A motion was made by Supervisor Gray, 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-6) COUNTY COUNSEL**10-01077**

Consider recommendations regarding the ratification of the Montecito Fire Protection District's adoption of building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code, as follows:

a) Adopt a Resolution ratifying Montecito Fire Protection District Ordinance 2010-1 which does the following:

i) Adopts by reference and amends the 2010 California Fire Code and Appendix Chapters and Appendix Standards governing conditions hazardous to life and property from fire, hazardous materials or explosion;

ii) Provides for the issuance of permits for hazardous uses or operations;

iii) Establishes a Bureau of Fire Prevention and provides officers therefore, and defines their powers and duties within the District;

iv) Amends section R313 of the California Residential Code;

v) Amends section 1505 of the 2010 California Building Code; and

vi) Repeals Montecito Fire Protection District's Ordinance No. 2007-2; and

b) Upon ratification of the Ordinance, instruct staff to forward a copy of the Board's ratifying Resolution, and the Fire Protection District's Ordinance, including the Fire Protection District's findings which are set forth in section 12 of the Ordinance, to the California Department of Housing and Community Development, pursuant to Health and Safety Code Section 13869.7.

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

a) i) through vi) Adopted.

RESOLUTION NO. 10-323

b) Authorized.

The motion carried by the following vote:

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

A-7) COUNTY EXECUTIVE OFFICE**[10-01079](#)**

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

A motion was made by Supervisor Gray, 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

**A-8) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS, LAGUNA
COUNTY SANITATION DISTRICT****[10-01080](#)**

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

A motion was made by Supervisor Gray, 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

**A-9) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS,
REDEVELOPMENT AGENCY****[10-01097](#)**

Consider recommendations regarding Redevelopment Agency Funding for Development of the Loop Project, Isla Vista, Third District, as follows: (4/5 Vote Required)

Acting as the Board of Directors, Redevelopment Agency:

- a) Approve a five-year loan in the amount of \$1,500,000.00 of Isla Vista Project Area Redevelopment Agency Housing Set-Aside funds for acquisition of land at 6533 and 6539 Trigo Road in Isla Vista, by D3 Partners, LLC, a California Limited Liability Company;
- b) Approve and authorize the Chair of the Redevelopment Agency to execute a Loan Agreement and Regulatory Agreement with D3 Partners, LLC consistent with the terms set forth;
- c) Authorize the Agency Executive Director to execute a Subordination of Deed of Trust, which will result in the Agency's loan becoming subordinate to the developer's construction loan in an amount not to exceed \$12,000,000.00, in a form approved by County Counsel;
- d) Find that the development of the project was analyzed in the Isla Vista Master Plan EIR and that none of the conditions set forth in CEQA Guideline 15162, which would require subsequent environmental analysis, have occurred; and

e) Approve a Budget Revision in the amount of \$345,000.00; and

Acting as the Santa Barbara County Board of Supervisors:

f) Approve and authorize the Chair to execute the Sidewalk Improvement Reimbursement Agreement consistent with the terms set forth;

g) Approve a Budget Revision in the amount of \$345,000.00; and

h) Find that the development of the sidewalk improvements was analyzed in the Isla Vista Master Plan EIR and that none of the conditions set forth in CEQA Guideline 15162, which would require subsequent environmental analysis, have occurred.

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

Acting as Board of Directors, Redevelopment Agency:

a) Approved;

b) Approved; Chair to execute;

c) Authorized; and

d) and e) Approved.

Acting as the Santa Barbara County Board of Supervisors:

f) Approved; Chair to execute; and

g) and h) Approved.

The motion carried by the following vote:

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

A-10) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES**10-01074**

Consider recommendations regarding a Contract between the County of Santa Barbara and the County of San Luis Obispo for training and development services for County of San Luis Obispo Employees, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute a Training Services Contract between the County of Santa Barbara and the County of San Luis Obispo for the purpose of providing public sector training to County of San Luis Obispo employees, for a Fiscal Year 2010/2011 revenue amount of approximately \$46,800.00, and an additional estimated revenue amount of \$119,850.00 for Fiscal Year 2011/2012; and

b) Approve budget revisions to recognize increased revenue resulting from providing training services to County of San Luis Obispo during Fiscal Year 2010/2011.

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

a) Approved; Chair to execute; and

b) Approved.

The motion carried by the following vote:

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

A-11) FIRE**10-00990**

Consider recommendations regarding an Ordinance amending Chapter 15 of the Santa Barbara County Code to adopt the 2010 California Fire Code, as follows:

a) Consider the adoption (second reading) of an Ordinance amending Chapter 15 of the Santa Barbara County Code to adopt the 2010 California Fire Code, with amendments replacing the amended 2007 California Fire Code as the enforcement Code in all areas within the Santa Barbara County Fire Protection District and all other unincorporated areas of the County, except the areas within the Carpinteria/Summerland Fire Protection District, Montecito Fire Protection District, Vandenberg Air Force Base, and Bureau of Indian Affairs Lands, unless otherwise specified by this Ordinance; and

b) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3).

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

a) Adopted.

ORDINANCE NO. 4771

b) Approved.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Centeno

A-12) FIRE

[10-01054](#)

Approve and authorize the Chair to execute a one-year License Agreement between the County of Santa Barbara Fire Department and Firefighters of Santa Barbara, Inc., a California corporation (licensee), for the production of “On Duty with Santa Barbara Firefighters”.

A motion was made by Supervisor Gray, 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-13) GENERAL SERVICES

[10-00985](#)

Authorize the General Services Department Director to send a letter of support to the City of Santa Barbara seeking approval of the vacation of an existing City public road easement on a portion of Lowena Drive, within the City of Santa Barbara, which right of way currently is the route through the Santa Barbara County Bowl’s parking lot and serves as a passage way for pedestrian and vehicle access to the Bowl facility, ORES 001076, First District.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, 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-14) GENERAL SERVICES**10-00929**

Consider recommendations regarding a Covenant and Lease Amendment for the Santa Barbara Historical Museum Property located at 136 East De La Guerra Street in Santa Barbara, First District, as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute the Covenant to Restrict Use of Property (Covenant) between the County of Santa Barbara (County) and the California Department of Toxic Substances Control (DTSC), which will provide recorded notice of certain environmental restrictions on the Santa Barbara Historical Museum property (Property) located at 136 East De La Guerra Street in Santa Barbara;
- b) Approve and authorize the Chair to execute the First Amendment to the Lease Agreement between the County of Santa Barbara and the Santa Barbara Historical Museum (SBHM), to acknowledge and accept the environmental restrictions imposed on the Property by the Covenant between County and the DTSC;
- c) Authorize the Director of General Services, or designee, to accept payment from Southern California Edison Company (SCE) in the amount of \$383,607.50, and to disburse payment to SBHM in the amount of \$287,705.63, as agreed to by County, SCE and SBHM; and
- d) Approve a Budget Revision recognizing the Southern California Edison payment of \$383,607.50, and approve disbursement to the SBHM in the amount of \$287,705.63, and deposit the remainder of \$95,901.87 to the General Fund Designated Contingency (990-0001-9798); and
- e) As responsible agency under the California Environmental Quality Act (CEQA), consider the Initial Study and Mitigated Negative Declaration prepared by the DTSC for this project and the environmental impacts discussed therein.

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

- a) Approved; Chair to execute;**
- b) Approved; Chair to execute;**
- c) Authorized;**
- d) Approved; and**
- e) Accepted.**

The motion carried by the following vote:

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

A-15) GENERAL SERVICES**10-01094**

Consider recommendations regarding the Quitclaim of Easement documents and Acceptance of Easements for the El Colegio Roadway Improvements Project, Folio No. 003609, Third District, as follows:

- a) Approve and authorize the Chair to execute the Termination, Release and Quitclaim of Easement Documents between UCSB and the County of Santa Barbara which quitclaims the County's interest in that certain Right of Way Grant (El Colegio - Storke Road - Los Carneros Road), recorded June 9, 1971, in the Official Records of the County of Santa Barbara, as Instrument 17294, in Book 2350, Page 955; and also in that certain Agreement dated October 2, 1961, between the County and Charles A. Storke, Jean S. Menzies, Francis Price, Jr., and Robert M. Jones, as Trustees under Indenture of Trust, dated July 2, 1956, recorded on October 19, 1961, in the Official Records of the County of Santa Barbara as Instrument 37351, in Book 1878, Page 963; both of which documents relate to right-of-way located on UCSB-owned properties known as APNs 073-120-10, 073-120-13, and 073-120-14;
- b) Accept the Grant of Easement for Right of Way over a portion of UCSB properties known as Assessor's Parcel Numbers 073-120-10, 073-120-13, 073-120-14 by authorizing the Clerk of the Board to execute the Certificate of Acceptance; and
- c) Accept the Grant of Easement for Stormwater Drainage Facilities over a portion of UCSB properties known as APNs 073-120-13 and 073-120-14 by authorizing the Clerk of the Board to execute the Certificate of Acceptance.

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

a) Approved; Chair to execute;

b) and c) Accepted.

The motion carried by the following vote:

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

A-16) GENERAL SERVICES**10-01095**

Consider recommendations regarding the Clerk-Recorder-Assessor Election Division Consolidation Project No. 8685, Phase 2, 4440 Calle Real, Santa Barbara, Notice of Completion and Amendment No. 3 to the Construction Contract, Second District, as follows:

a) Approve and authorize Chair to execute Amendment No. 3 to the Construction Contract with SBS Corporation for Phase 2 of the Clerk-Recorder-Assessor Election Division Consolidation in the amount of \$4,161.00; and

b) Accept the Notice of Completion for Phase 2 of the Clerk-Recorder-Assessor Election Division Consolidation located at 4440 Calle Real, Santa Barbara, performed by SBS Corporation.

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

a) Approved; Chair to execute; and

b) Accepted.

The motion carried by the following vote:

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

A-17) HOUSING AND COMMUNITY DEVELOPMENT**10-01092**

Consider recommendations regarding 2010/2011 Subrecipient Agreements for Federal Homeless Program Grants, as follows:

a) Approve and authorize the Chair to execute a Subrecipient Agreement with Good Samaritan Shelter in the amount of \$17,425.00; and

b) Approve and authorize the Chair to execute a Subrecipient Agreement with Casa Esperanza Homeless Center in the amount of \$156,763.00.

A motion was made by Supervisor Gray, 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-18) HOUSING AND COMMUNITY DEVELOPMENT**10-01083**

Approve and authorize the Chair to execute a Community Development Block Grant (CDBG) funding Contract, in the amount of \$106,130.00, with Habitat for Humanity of Northern Santa Barbara County for the Home Restoration and Rehabilitation Program.

A motion was made by Supervisor Gray, 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-19) HOUSING AND COMMUNITY DEVELOPMENT**10-01093**

Consider recommendations regarding Shelter Operations General Fund Grant Agreements for Casa Esperanza Homeless Center and Good Samaritan Shelter, Inc., as follows:

a) Approve and authorize the Chair to execute a Shelter Operations Grant Agreement with Casa Esperanza Homeless Center (Casa Esperanza) to support and maintain existing service levels for the Casa Esperanza homeless shelter, for the period of July 1, 2010 through June 30, 2011, in an amount not to exceed \$168,216.00; and

b) Approve and authorize the Chair to execute a Shelter Operations Grant Agreement with Good Samaritan Shelter, Inc. (Good Sam) to support and maintain existing service levels for the Good Sam homeless shelter, for the period of July 1, 2010 through June 30, 2011, in an amount not to exceed \$136,784.00.

A motion was made by Supervisor Gray, 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-20) HOUSING AND COMMUNITY DEVELOPMENT**10-01014**

Consider recommendations regarding an Ordinance amending Chapter 44 of the Santa Barbara County Code and other implementation actions related to the rights and duties of landlords and tenants of residential property, as follows:

a) Consider the adoption (second reading) of an Ordinance amending Chapter 44 of the Santa Barbara County Code pertaining to the rights and duties of landlords and tenants of residential property; and

b) Determine that the adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA and direct filing of the Notice of Exemption.

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

a) adopted.

ORDINANCE NO. 4772

b) Approved.

The motion carried by the following vote:

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

A-21) PARKS

10-01087

Consider recommendations regarding an extension of the Agreement with the Bureau of Reclamation to operate Lake Cachuma Park, as follows:

a) Approve and authorize the Chair to execute a Contract Extension between the County of Santa Barbara and the United States Department of the Interior, Bureau of Reclamation, to continue to administer the Lake Cachuma Recreation Area for the period of January 12, 2011 to January 11, 2013, Contract No. 4-06-200-600;

b) Approve and authorize the Chair to execute a letter from the County to the Bureau of Reclamation indicating acceptance, and simultaneously transmit the letter accepting the terms and conditions; and

c) Approve the Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) Guidelines.

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

a) and b) Approved; Chair to execute.

c) Approved.

The motion carried by the following vote:

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

A-22) PLANNING AND DEVELOPMENT**10-01009**

Consider recommendations regarding amendments to Chapter 10 of the Santa Barbara County Code relating to building construction, as follows:

- a) Consider the adoption (second reading) of an Ordinance amending Chapter 10 of the Santa Barbara County Code relating to building construction; and
- b) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3).

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

a) Adopted.

ORDINANCE NO 4773

b) Approved.

The motion carried by the following vote:

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

A-23) PLANNING AND DEVELOPMENT**10-01089**

Approve and authorize the Chair to execute the Alexander new Prime Agricultural Preserve for Brett Jones, agent for the owner, Contract No. 10AGP-00000-00003, involving APN No. 141-041-030, located at 1944 Edison Street in Santa Ynez, Third District.

A motion was made by Supervisor Gray, 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-24) PLANNING AND DEVELOPMENT[10-01090](#)

Consider recommendations regarding a consistency rezone, Case No. 10RZN-00000-00005, and the request of Steven Brown, agent, for a new Prime Agricultural Preserve Contract, Case No. 10AGP-00000-00017, for ZF Vineyards, LLC, located at 5180 East Highway 246 in the Lompoc area, APN No. 099-160-067, Fourth District, as follows:

a) Approve a consistency rezone, Case No. 10RZN-00000-00005, as follows:

i) Adopt the required findings for 10RZN-00000-00005 specified in the Planning Commission action letter dated November 10, 2010, including California Environmental Quality Act (CEQA) findings;

ii) Approve a Notice of Exemption dated December 14, 2010, pursuant to CEQA Section 15061(b)(3);

iii) Adopt a Zoning Map Amendment for APN 099-160-067 amending the Inland Zoning Map from 100-AG, Ordinance 661, to AG-II-100, Land Use and Development Code, for the Lompoc Valley Rural Region; and

b) Approve the creation of one new prime Agricultural Preserve Contract, Case No. 10AGP-00000-00017, as follows:

i) Approve a Notice of Exemption dated December 14, 2010, pursuant to CEQA Section 15317;

ii) Approve and authorize the Chair to execute an Agreement creating Agricultural Preserve No. 10AGP-00000-00017; and

iii) Adopt a Resolution creating Agricultural Preserve No. 10AGP-00000-00017.

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

a) (i) Approved;

ii) Adopted;

iii) Adopted;

ORDINANCE NO. 4774

b) (i) Approved;

ii) Approved; Chair to execute; and

iii) Adopted.

RESOLUTION NO 10-324

The motion carried by the following vote:

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

A-25) PROBATION

[10-01088](#)

Approve and authorize the Chief Probation Officer to execute a Memorandum of Understanding with the Franchise Tax Board for the collection of unpaid delinquent court ordered fines, fees, penalties, forfeitures or any other amounts imposed by the Court, for the period December 1, 2010 through November 30, 2013; the cost of the services provided to the County shall not exceed 15% of the amount collected by the Franchise Tax Board, pursuant to Revenue and Taxation Code Section 19282.

A motion was made by Supervisor Gray, 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

A-26) PUBLIC WORKS**10-01085**

Consider recommendations regarding the Tepusquet Road Bridge at the Sisquoc River, County Project No. 862248, Federal Project No. BRLKS-5951 (098), Fifth District, as follows:

a) Accept a Notice of Completion for work performed by the contractor, Shasta Constructors, Inc. (not a local vendor), Post Office Box 491539, Redding, California 96049; and

b) Approve the Statement of Final Quantities for work performed and materials supplied by Shasta Constructors, Inc., in the amount of \$4,384,994.43.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, 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-27) PUBLIC WORKS**10-01096**

Consider recommendations regarding the Construction of the Foxen Canyon Road at Santa Maria Mesa Road Intersection Realignment Project, Federal Project No. HSIPL-5951(122), County Project No. 862265, Fifth District, as follows: (4/5 Vote Required)

a) Approve the plans and specifications for the Construction of the Foxen Canyon Road at Santa Maria Mesa Road Intersection Realignment Project;

b) Award the Construction Contract for \$128,866.00 to the lowest responsive bidder, CalPortland Construction (a local vendor), PO Box 1280, Santa Maria, CA 93456 subject to the provisions of documents and certification, as set forth in the plans and specifications applicable to the project, and as required by law;

c) Approve and authorize the Chair to execute the Construction Contract upon return of the Contractor's executed contract documents, and the review and approval of County Counsel, Auditor-Controller, Risk Manager or their authorized representatives;

d) Approve a contingency fund of \$12,886.60 for Construction of the Foxen Canyon Road at Santa Maria Mesa Road Intersection Realignment Project; and

e) Approve Budget Revision No. 0001244 for \$312,252.60.

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

a) through e) Approved.

The motion carried by the following vote:

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

A-28) PUBLIC WORKS

[10-01084](#)

Approve the Statement of Final Quantities for work performed and materials supplied by the contractor, Elevation General Engineering Construction, Inc. (a local vendor) located at 2333 A Street, Santa Maria, California 93455, for construction of the 2009 ARRA Miscellaneous Concrete Repair in Old Town Orcutt, in the amount of \$237,722.46, County Project No. 820620, Fourth District.

A motion was made by Supervisor Gray, 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

A-29) PUBLIC WORKS

[10-00938](#)

Consider recommendations regarding Vehicle Code Enforcement of Private Roads in the Hope Ranch Community, Second District, as follows:

a) Consider the adoption (second reading) an Ordinance amending Chapter 23 of the Santa Barbara County Code, pertaining to the ability to enforce the Vehicle Code on select private roads in Hope Ranch;

b) Approve the findings in the Traffic Engineering Report submitted by Penfield and Smith pertaining to the implementation and enforcement of traffic control devices on select private roads in Hope Ranch; and

c) Approve a Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines under section 15301 for implementation of the enforcement on private roads in the Hope Ranch community.

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

a) Adopted; and

ORDINANCE 4775

b) and c) Approved.

The motion carried by the following vote:

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

A-30) PUBLIC WORKS

[10-00996](#)

Consider recommendations regarding an Ordinance amending Chapter 17 of the Santa Barbara County Code regarding solid waste services, as follows:

a) Consider the adoption (second reading) of an Ordinance amending Chapter 17 of the Santa Barbara County Code regarding solid waste services; and

b) Approve a Notice of Exemption pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA).

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

a) Adopted; and

ORDINANCE NO. 4776

b) Approved.

The motion carried by the following vote:

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

A-31) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND
WATER CONSERVATION DISTRICT

[10-01086](#)

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

Consider recommendations regarding the Lower Mission Creek Project Reach 1A, First District, as follows:

- a) Authorize the Public Works Director to advertise and receive bids for the Lower Mission Creek Project Reach 1A, Phase 1;
- b) Approve and authorize the Public Works Director or his designee to execute the Local Sponsor Cost Sharing Agreement for the Lower Mission Creek Flood Control and Restoration Project Reach 1A, Phase 1 Construction and Construction Engineering with the City of Santa Barbara; and
- c) Approve and authorize the Chair to execute the Memorandum of Understanding between the Department of the Army and the Santa Barbara County Flood Control and Water Conservation District for the work provided or performed prior to execution of a Project Partnership Agreement for Santa Barbara County streams, Lower Mission Creek, California.

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

- a) Authorized;**
- b) Approved; and**
- c) Approved; Chair to execute.**

The motion carried by the following vote:

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

Board of Supervisors**A-32) SUPERVISOR CARBAJAL****10-01099**

Approve the reappointment of Michael Phillips to the Montecito Planning Commission, term ending January 1, 2015, First District.

A motion was made by Supervisor Gray, 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

A-33) SUPERVISOR CARBAJAL**10-01100**

Approve the reappointment of Jack Overall to the Montecito Planning Commission, term ending January 1, 2015, First District.

A motion was made by Supervisor Gray, 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

A-34) SUPERVISOR CARBAJAL**10-01101**

Approve the reappointment of Claire Gottsdanker to the Montecito Planning Commission, term ending January 1, 2014, First District.

A motion was made by Supervisor Gray, 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

A-35) SUPERVISOR CARBAJAL[10-01102](#)

Approve the reappointment of Sue Burrows to the Montecito Planning Commission, term ending January 1, 2014, First District.

A motion was made by Supervisor Gray, 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

A-36) SUPERVISOR CARBAJAL[10-01103](#)

Approve the reappointment of Daniel Eidelson to the Montecito Planning Commission, term ending January 1, 2015, First District.

A motion was made by Supervisor Gray, 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

A-37) SUPERVISOR CARBAJAL[10-01104](#)

Approve the reappointment of Michael Cooney to the Santa Barbara County Planning Commission, term ending January 1, 2015, First District.

A motion was made by Supervisor Gray, 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

A-38) SUPERVISOR FARR**[10-01082](#)**

Approve the reappointment of Mary Ellen Brooks to the Planning Commission, term ending January 1, 2013, Third District.

A motion was made by Supervisor Gray, 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

Approval of Administrative Agenda

HEARING TIME: 9:25 A.M. - 10:05 A.M. (40 MIN.)

A motion was made by Supervisor Gray, 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: 9:25 A.M. - 10:05 A.M. (40 MIN.)

Re: Attendance at tree planting ceremony and memorial event in Isla Vista for Lucas Ransom, upcoming Fish & Game meeting regarding marine protected areas and reported on Lookout Park beach trail project - Third District Supervisor Doreen Farr Addressed the Board.

Re: Presented retiring Fifth District Supervisor Joe Centeno with his "parking only" sign from North County, attendance at Orcutt and Guadalupe's Holiday parades, reported CIF championship of Lompoc High School's football team, upcoming PCPA production of "Peter Pan" and the opening of "Elliot's Pies", a new business by local 8 year old - Fourth District Supervisor Joni Gray Addressed the Board.

Re: Attendance at holiday events for SBCan, County Firefighters, Pacific Pride, the Carpinteria Holiday parade and Santa Clause Lane area improvement meeting - First District Supervisor Salud Carbajal Addressed the Board.

Re: Attendance at and reported on CalTrans meeting for on-going improvements to Highways 154 and 246, Inter-Counties Climate Action Roundtable convened by County Planning & Development, Autism Awareness float in Goleta Holiday parade and road medium improvement program by County Public Works Department - Second District Supervisor Janet Wolf Addressed the Board.

Public Comment Period

HEARING TIME: 10:16 A.M. - 10:38 A.M. (22 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: No on "S" campaign issues - Andy Caldwell Addressed the Board.

RE: County Mental Health Care Services - Shawn Koenen Addressed the Board.

RE: LAFCO presentation to Fifth District Supervisor Joe Centeno - Bob Short and Bob Braitman Addressed the Board.

RE: Appreciation and well wishes to Fifth District Supervisor Joe Centeno on his retirement, after 40 years of public service to the cities and County of Santa Barbara - Donna Westphal, Joyce Chrisman, Kathy Gallagher, Katrina Czuleger, Andy Caldwell, First District Supervisor Salud Carbajal, Second District Janet Wolf, Third District Supervisor Doreen Farr and Fourth District Supervisor Joni Gray Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) **PLANNING AND DEVELOPMENT**

10-00252

HEARING - Consider recommendations regarding Coastal Commission Suggested Modifications to County and Montecito Land Use and Development Codes, as follows:

- a) Receive and file a report on the four informational sessions conducted by the Planning and Development Department;
- b) Review the status of suggested modifications (based on newest Coastal Commission staff report);
- c) 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 November 18, 2010 hearing;
- d) Approve and authorize the Chair to execute the letter to the Coastal Commission as revised by the Board of Supervisors;
- e) Select up to two Board members to represent the County of Santa Barbara at the Coastal Commission hearing on November 18, 2010; and
- f) Continue this hearing until December 14, 2010 so that the Board of Supervisors may provide direction to the Planning and Development Department as to how it wants to proceed should the Coastal Commission take final action at their November 18, 2010 hearing.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 1/18/11

HEARING TIME: 10:58 .M. - 10:59 A.M. (1 MIN.)

A motion was made by Supervisor Centeno, seconded by Supervisor Carbajal, that this matter be Continued, as follows: January 18, 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

2) PUBLIC HEALTH[10-00981](#)

HEARING - Consider recommendations regarding the Maddy Emergency Medical Services Fund Report to Legislature, as follows: (EST. TIME: 20 MIN.)

- a) Receive and file a report on the Maddy Emergency Medical Services Fund; and
- b) Authorize staff to submit the report to the California legislature.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:01 A.M. - 11:20 A.M. (19 MIN.)

Conducted public hearing.

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

- a) Received and filed staff presentation.**
- b) Authorized.**

The motion carried by the following vote:

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

3) SUPERVISOR GRAY, CHILD CARE PLANNING COUNCIL[10-01043](#)

HEARING - Consider recommendations regarding the Child Care Needs Assessment Report, as follows: (EST. TIME: 20 MIN.)

a) Receive and file the Child Care Needs Assessment Report, entitled “Early Care and Education Now, Santa Barbara County, 2010”, to be submitted by the Santa Barbara County Child Care Planning Council to the California Department of Education; and

b) Approve and authorize the Chair to execute the Needs Assessment Report Form.

HEARING TIME: 11:21 A.M. - 11:55 A.M. (34 MIN.)

Conducted public hearing.

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.

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

4) PLANNING AND DEVELOPMENT[10-01007](#)

HEARING - Consider recommendations regarding Small Wind Energy Systems Ordinance amendments to the County and Montecito Land Use and Development Codes, as follows:
(EST. TIME: 30 MIN.)

a) Consider the following recommendations of the County Planning Commission regarding Case No. 10ORD-00000-00003:

- i) Adopt findings for approval of the proposed ordinance including CEQA findings;
- ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15308 of the Guidelines for Implementation of CEQA;
- iii) Adopt an Ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code to implement a permit process regarding the development of Small Wind Energy Systems; and

b) Consider the following recommendations of the County Planning Commission regarding Case No. 10ORD-00000-00004:

- i) Adopt findings for approval of the proposed ordinance including CEQA findings;
- ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15308 of the Guidelines for Implementation of CEQA; and
- iii) Adopt an Ordinance amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code to implement a permit process regarding the development of Small Wind Energy Systems.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 12:00 P.M. - 12:47 P.M. (47 MIN.)

Conducted public hearing.

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

a) i) Adopted.

ii) Approved.

iii) Adopted, amended as follows:

SECTION 2 -

Revised Section 35.57.060.F.2.a - from lot size of "one acre" to "three acres" (page 9)

ORDINANCE NO. 4777

b) i) Adopted;

ii) Approved; and

iii) Adopted, amended as follows:

SECTION 2:

Revised Note (2) in Table 4-12 in Section 35.446.030 to change the minimum area from "one" to "three" acres (page 2).

SECTION 3:

Revised Section 35.446.050.B.2.a to change the minimum lot size from "one" to "three" acres (page 5).

SECTION 3:

Revised Section 35.446.050.B.5.a to change the noise level limit from "60" dBA to "50" dBA (page 6).

ORDINANCE NO. 4778

The motion carried by the following vote:

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

5) HOUSING AND COMMUNITY DEVELOPMENT[10-00940](#)

HEARING - Consider recommendations regarding the emPowerSBC Implementation Plan, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file a presentation outlining emPowerSBC's proposed redesigned implementation plan;
- b) Approve a Budget Revision to remove the transfer of General Fund Strategic Reserves to the PACE Revolving Loan Program; and (4/5 Vote Required)
- c) Direct staff to return to the Board of Supervisors with a grant agreement revision request and finance partnership agreements in March.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 2:35 P.M. - 3:45 P.M. (1 HR., 10 MIN.)

Conducted public hearing.

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

- a) Received and filed staff presentation.**
- b) Approved.**
- c) Directed.**

Further directed staff to prepare a budget revision to return the General Fund Advance of \$995,182 to the General Fund.

The motion carried by the following vote:

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

6) SUPERVISOR FARR[10-01035](#)

HEARING - Consider and discuss an appropriate level of hiring freeze for the County of Santa Barbara, and direct staff to implement as appropriate. (EST. TIME: 30 MIN.)

HEARING TIME: 3:47 P.M. - 4:03 P.M. (16 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Adopted Option 3 of Board Letter dated December 14, 2010 as follows:

CEO/HR to work with departments to determine critical nature of all positions requested filled; review budgetary fund sources, stability of funding sources, organizational changes that might effect requested positions and return to the Board with regular reports identifying approved recruitments.

The motion carried by the following vote:

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

7) COUNTY EXECUTIVE OFFICE[10-01073](#)

HEARING - Receive and file an initial overview of the 2011 Redistricting process and provide direction to staff as appropriate. (EST. TIME: 1 HR.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 4:10 P.M. - 4:32 P.M. (22 MIN.)

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

Received and filed staff presentation and conducted public hearing.

Directed staff to return on February 15, 2011 in Santa Barbara with a report on anticipated County costs and requirements, including recommendations regarding potential consulting services. Further directed staff to initiate outreach to stakeholder groups and solicit input regarding the Redistricting process.

The motion carried by the following vote:

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

8) COUNTY EXECUTIVE OFFICE[10-01105](#)

HEARING - Consider adoption of the 2011 Board of Supervisors' Schedule of Meeting Dates and Locations. (EST. TIME: 10 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 4:33 P.M. - 4:50 P.M. (18 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Adopted Option B in County Executive Office Board Letter dated December 14, 2010.

Directed staff to return on January 11, 2011 in Santa Maria to reaffirm the schedule of meeting dates and locations.

The motion carried by the following vote:

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

Abstained: 1 - Supervisor Centeno

Adjourned at 3:33 PM

The Board of Supervisors Adjourned the Meeting of December 14, 2010 in Honor of George Armenta, Sergeant Gary Spiegel and in Honor of Fifth District Supervisor Joe Centeno upon his retirement from the Board of Supervisors.

Adjourned to

January 4, 2011

County Administration Building
Board Hearing Room
105 East Anapamu Street , Fourth Floor
Santa Barbara

Announcements

The meeting of Tuesday, December 14, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, December 16, 2010, at 5:00 PM and on Saturday, December 18, 2010, at 10:00 AM on CSBTV Channel 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON THE FOLLOWING DATES: TUESDAY, DECEMBER 21, 2010, AND TUESDAY, DECEMBER 28, 2010.

THE NEXT REGULAR BOARD OF SUPERVISORS HEARING WILL BE HELD JANUARY 4, 2011 IN SANTA BARBARA.

<http://www.countyofsb.org>