

County of Santa Barbara
BOARD OF SUPERVISORS



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

Michael F. Brown, County Executive Officer

Action Summary

Tuesday, December 1, 2009

9:00 AM

**COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 EAST ANAPAMU STREET, SANTA BARBARA**

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, Redevelopment Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: www.countyofsb.org.

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

CONVENED AT 9:10 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

[09-01024](#)

Closed Session Agenda

County Counsel reported that the employee relations item will be continued to the December 8, 2009 meeting in Santa Maria. There was no other reportable action taken.

Approval of Minutes of the November 10, 2009 Meeting

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

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

Absent: 1 - Supervisor Wolf

Administrative Agenda

All matters listed hereunder constitute a consent agenda, and will be acted upon by a single roll call vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board or the public, in which event the matter shall be removed from the administrative agenda and considered as a separate item.

Resolutions to be Presented at 9:15 A.M.**A-1) SUPERVISOR WOLF****09-01000**

Adopt a Resolution of Commendation recognizing Bill Cirone and Tina Fanucchi as 2009 County of Santa Barbara Arts Commission Leadership in the Arts Award recipients.

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

RESOLUTION NO. 09-343

The motion carried by the following vote:

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

A-2) SUPERVISOR WOLF, SUPERVISOR FARR**09-01001**

Adopt a Resolution proclaiming the month of November 2009 as National Court Adoption and Permanency Month in Santa Barbara County.

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

RESOLUTION NO. 09-344

The motion carried by the following vote:

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

A-3) SUPERVISOR WOLF**09-01004**

Adopt a Resolution proclaiming December 1, 2009 as World AIDS Day in Santa Barbara County.

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

RESOLUTION NO. 09-345

The motion carried by the following vote:

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

A-4) BOARD OF SUPERVISORS[09-00985](#)

Adopt a Resolution of Commendation honoring Ronn Carlentine of the Real Property Division as the December 2009 Santa Barbara County Employee of the Month.

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

RESOLUTION NO. 09-346

The motion carried by the following vote:

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

Absent: 1 - Supervisor Wolf

Honorary Resolutions**A-5) SUPERVISOR CARBAJAL**[09-00989](#)

Adopt a Resolution of Commendation honoring Alyson Spann for her service as the President of the Santa Barbara Association of REALTORS®.

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

RESOLUTION NO. 09-347

The motion carried by the following vote:

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

A-6) SUPERVISOR CENTENO[09-00981](#)

Adopt a Resolution proclaiming the week of November 30, 2009 through December 4, 2009 as Flood Awareness Week in Santa Barbara County.

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

RESOLUTION NO. 09-348

The motion carried by the following vote:

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

Administrative Items**A-7) AUDITOR-CONTROLLER**[09-00968](#)

Acting as the Board of Supervisors; Board of Directors, Fire Protection District; and Board of Directors, Flood Control and Water Conservation Districts, consider recommendations regarding the Proposition 4/111 Appropriations Limit, as follows:

a) Adopt the following ten Resolutions:

i) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2009-2010 for the County of Santa Barbara;

ii) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2009-2010 for Santa Barbara County Service Area No. 3;

iii) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2009-2010 for Santa Barbara County Service Area No. 4;

iv) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2009-2010 for Santa Barbara County Service Area No. 5;

v) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2009-2010 for Santa Barbara County Service Area No. 12;

vi) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2009-2010 for Santa Barbara County Service Area No. 32;

vii) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2009-2010 for Santa Barbara County Service Area No. 41;

viii) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2009-2010 for the Santa Barbara County Fire Protection District;

ix) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2009-2010 for the Santa Barbara North County Lighting District; and

x) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2009-2010 for the Santa Barbara County Flood Control and Water Conservation Districts;

b) Select the change in the California Per Capita Personal Income as the price factor in determining the Fiscal Year 2009-2010 limit for Santa Barbara County and the special districts, and ratify selections by recorded vote; and

c) Select the change in population within Santa Barbara County and all contiguous counties as the population factor in determining the Fiscal Year 2009-2010 limit for Santa Barbara County, and the change in population within Santa Barbara County for the special districts and ratify selections by recorded vote.

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

a) i) through x) Adopted.

RESOLUTION NO. 09-349

RESOLUTION NO. 09-350

RESOLUTION NO. 09-351

RESOLUTION NO. 09-352

RESOLUTION NO. 09-353

RESOLUTION NO. 09-354

RESOLUTION NO. 09-355

RESOLUTION NO. 09-356

RESOLUTION NO. 09-357

RESOLUTION NO. 09-358

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-8) AUDITOR-CONTROLLER

09-00987

Consider recommendations regarding the Property Tax Administrative Fee for Fiscal Year 2009-2010 (SB2557), as follows:

a) Receive and file a report prepared by the Santa Barbara County Auditor-Controller establishing the Fiscal Year 2009-2010 Property Tax Administrative Fee; and

b) Adopt a Resolution to impose the fee pursuant to Revenue and Taxation Code sections 95.3 and 97.75.

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

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

A-9) COUNTY COUNSEL

09-00992

Approve and authorize the Chair to execute an Agreement for Professional Legal Services with David Nye, Nye, Peabody, Sterling, and Hale LLP (a local vendor) for pending litigation in the case of Terris v. County of Santa Barbara, Santa Barbara Superior Court Case No. 1339241. (4/5 Vote Required)

A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Continued, as follows: December 8, 2009 in Santa Maria. 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, OFFICE OF EMERGENCY SERVICES**09-01007**

Adopt a Resolution authorizing certain employees for the Office of Emergency Services (OES) to execute an application and documents on behalf of the Santa Barbara Operational Area for the purpose of obtaining financial assistance through the Federal Fiscal Year 2009 Buffer Zone Protection Program Grant (BZPP).

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

RESOLUTION NO. 09-359

The motion carried by the following vote:

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

A-11) FIRST 5, CHILDREN AND FAMILIES COMMISSION**09-01002**

Consider recommendations regarding First 5 Children Santa Barbara County acceptance of grant dollars, as follows:

a) Accept \$10,000.00 from the Communications Consortium Media Center to engage with other community-based partners and educational systems around linking early learning to K-12 education. The proposed funding would enable the collaborative to conduct the following activities in preparation for submitting an ARRA proposal for School Readiness activities through the Department of Education investing in innovation funding; and

b) Accept \$14,250.00 from the Central Coast DULA Association to create a developed foundation of extended Welcome Every Baby services in Carpinteria. In partnership with the Central Coast Doula Association, First 5 will align research and evidence-based practices with our funding priorities targeting the 0-3 population.

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

a) and b) Accepted.

The motion carried by the following vote:

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

A-12) GENERAL SERVICES**09-00990**

Approve and authorize the Chair to execute a Third Amendment to the License and Service Agreement with New Beginnings Counseling Center to extend the Safe Parking Program on County Property, ORES 003506, for another three (3) years from September 1, 2009 through August 31, 2012, increase the number of vehicles from 10 to 15 at the County Administration building parking lot, and expand the program by allowing an additional 5 vehicles to park at the Social Service Building south parking lot at the Calle Real Campus in Santa Barbara, First and Second Districts. (4/5 Vote Required)

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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) PARKS**09-00980**

Approve and authorize the Chair to execute an Agreement with Providence Landing Homeowners Association to maintain and operate the Providence Landing Park, Third District.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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-14) PLANNING AND DEVELOPMENT**09-00983**

Consider the request of Shelly Ingram of MNS Engineers Inc., agent for Sacred Arrow Society Church Inc., owner, for a new non-prime agricultural preserve contract, Case No. 09AGP-00000-00016, and a consistency rezone, Case No. 09RZN-00000-00008, identified as APNs 099-210-002, 099-210-004, 099-210-005, and 099-200-010 located southwest of the intersection of Highway 246 and Mail Road, in the Lompoc area, Fourth District, as follows:

a) Approve the Rezone, as follows:

i) Adopt the required findings for 09RZN-00000-00008 specified in the Planning Commission action letter dated October 21, 2009, including CEQA findings;

ii) Accept the exemption dated December 1, 2009, pursuant to CEQA Section 15061(b)(3); and

iii) Adopt Zoning Map Amendment for 099-210-004, -005, and 099-200-010 amending the Inland Zoning Map from 100-AG, (Ordinance 661), to AG-II-100 (Land Use and Development Code) for the Lompoc Valley Rural Areas Zones;

b) Approve the creation of one new non-prime Agricultural Preserve Contract, as follows:

i) Adopt the required findings for 09AGP-00000-000016 specified in the Planning Commission action letter dated October 21, 2009, including CEQA findings;

ii) Accept the exemption dated December 1, 2009, pursuant to CEQA Section 15317;

iii) Approve and authorize the Chair to execute an Agreement creating Agricultural Preserve 09AGP-00000-00016; and

iv) Adopt a Resolution creating Agricultural Preserve 09AGP-00000-00016.

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

a) Approved.

i) Adopted.

ii) Accepted.

iii) Adopted.

ORDINANCE NO. 4734

b) Approved.

i) Adopted.

ii) Accepted.

iii) Approved; Chair to Execute.

iv) Adopted.

RESOLUTION NO. 09-360

The motion carried by the following vote:

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

A-15) PLANNING AND DEVELOPMENT, OFFICE OF EMERGENCY SERVICES

09-00996

Receive and file a report on the status of the rebuilding efforts following the Tea and Jesusita Fires.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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-16) PUBLIC HEALTH**[09-01003](#)**

Approve and authorize the Public Health Director to execute an Acceptance of Award to implement the Base Award Augmentation with the California Department of Public Health Tuberculosis Control Branch to support tuberculosis prevention and control activities for the period of July 1, 2009 through June 2010 in an amount not to exceed \$10,000.00, increasing the total Fiscal Year 2009-2010 amount from \$90,104.00 to \$100,104.00.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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-17) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT**[09-00986](#)**

Acting as the Board of Directors, Flood Control:

Consider recommendations regarding the Cheltenham Storm Drain Project, First District, as follows:

- a) Approve plans and specifications for the Cheltenham Storm Drain Project; and
- b) Authorize the Public Works Director to advertise and receive bids for the Cheltenham Storm Drain Project.

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

a) Approved; Chair to execute.

b) Authorized.

The motion carried by the following vote:

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

A-18) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT**[09-00988](#)**

Acting as the Board of Directors, Flood Control:

Approve and authorize the Chair to execute Amendment No. 1 to the Agreement with Padre Associates, Inc. (a local vendor) for environmental services for the Goleta Slough Routine Maintenance Activities Supplemental Environmental Impact Report (SEIR) by increasing the amount of the agreement by \$24,610.00 to a total amount not to exceed \$184,840.00, and extending the contract period from September 30, 2010 to December 31, 2010.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY**09-00993**

Acting as the Board of Directors, Water Agency:

Receive and file the 2008 Santa Barbara County Groundwater Report and authorize distribution of the report and public information contained within the report.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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-20) PUBLIC WORKS**09-00995**

Adopt a Resolution accepting portions of Coyote Road into the County Road Maintained System, First District.

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

RESOLUTION NO. 09-361

The motion carried by the following vote:

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

A-21) PUBLIC WORKS**09-00998**

Accept the offer of dedication as offered and shown on Parcel Map No. 14,701 (Sulpizio) for the southerly portion of an eighty (80) foot diameter cul-de-sac lying southerly of Casey Road as an easement for public road purposes, Third District.

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

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

A-22) PUBLIC WORKS**09-00999**

Consider recommendations regarding the construction of storm damage repair on Greenwell Avenue at Mile Post 0.25 north of Via Real, County Project No. 862259, Federal Project No. ER-4200(007), First District, as follows:

- a) Approve the plans and specifications for the construction of storm damage repair on Greenwell Avenue, County Project No. 862259;
- b) Award the construction contract in the amount of \$321,354.39 to the lowest responsible bidder, Berry General Engineering (not a local vendor), Post Office Box 1457, Ventura, California, 93002, subject to the provision of documents and certifications, as set forth in the plans and specifications applicable to the project, as required under California Law;
- c) Approve and authorize the Chair to execute the construction contract upon return of the contractor's executed contract document, and the review and approval of County Counsel, Auditor-Controller and Risk Management or their authorized representatives; and
- d) Approve a contingency fund in the amount of \$28,567.72 for the Construction of Storm Damage Repair on Greenwell Avenue, County Project No. 862259.

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

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

The motion carried by the following vote:

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

A-23) SHERIFF**09-00982**

Accept a grant award in the amount of \$16,800.00 from the Abandoned Watercraft Abatement Fund (AWAF) for Fiscal Year 2009-2010.

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

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

A-24) SHERIFF**[09-01008](#)**

Approve and authorize the Chair to execute an Application for the destruction of various Sheriff's Department records. (4/5 Vote Required)

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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) SHERIFF**[09-01010](#)**

Approve and authorize the Chair to execute the First Supplemental to the Agreement with the City of Los Angeles, Administrator of the Urban Areas Security Initiative (UASI) 2006 Grant.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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

Board of Supervisors**A-26) SUPERVISOR WOLF****[09-00974](#)**

Approve the reappointment of Dr. Marc C. Juretic to the Santa Barbara County CenCal Health Board of Directors, term ending December 31, 2012, Second District.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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-27) SUPERVISOR WOLF**[09-00978](#)**

Approve the reappointment of Daniel R. Herlinger to the Santa Barbara County CenCal Health Board of Directors, term ending December 31, 2011, Second District.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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-28) SUPERVISOR WOLF[09-00979](#)

Approve the reappointment of Laurie A. Yttri to the Santa Barbara CenCal Health Board of Directors, term ending December 31, 2012, Second District.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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) SUPERVISOR WOLF[09-00991](#)

Approve the appointment of Charles J. Cova to the Santa Barbara County CenCal Health Board of Directors, term ending December 31, 2011, Second District.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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-30) SUPERVISOR WOLF[09-00975](#)

Approve the appointment of Claire B. VanBlaricum to the Santa Barbara County Library Advisory Committee, term ending June 30, 2010, Second District.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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[09-00976](#)

Approve the reappointment of Dug Uyesaka to the Santa Barbara County Arts Commission, term ending June 30, 2012, Second District.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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-32) COUNTY EXECUTIVE OFFICE[09-01011](#)

Set hearing to consider the adoption of the 2010 Board of Supervisors' schedule of meeting dates and locations.
(Set hearing for 12/8/09. Time estimate 15 minutes.)

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: December 8, 2009 in Santa Maria (EST. TIME: 15 MIN.). The motion carried by the following vote:

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

A-33) COUNTY EXECUTIVE OFFICE[09-01012](#)

Set hearing to adopt a Resolution amending the Board of Supervisors' Agenda Policies and Protocols for the Conduct of Meetings and rescinding Resolution No. 03-282.
(Set hearing for 12/8/09. Time estimate 20 minutes.)

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: December 8, 2009 in Santa Maria (EST. TIME: 20 MIN.). The motion carried by the following vote:

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

A-34) COUNTY EXECUTIVE OFFICE[09-01014](#)

Set hearing to consider recommendations regarding the annual Federal and State Legislative Reports and Contract renewal, as follows:
(Set hearing for 12/8/09. Time estimate 1 hour.)

- a) Approve and authorize the Chair to execute a Contract with Governmental Advocates, Inc. for state advocacy services for the period of January 1, 2010 through December 31, 2010 for an amount not to exceed \$61,236.00;
- b) Receive a presentation from Governmental Advocates, Inc. to provide an update on state advocacy services rendered in the prior year; and
- c) Receive a presentation from Thomas Walters and Associates to provide an update on federal advocacy services rendered in the prior year.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: December 8, 2009 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

A-35) COUNTY EXECUTIVE OFFICE, OFFICE OF EMERGENCY SERVICES, GENERAL SERVICES**09-01009**

Set hearing to consider recommendations regarding the Emergency Operations Center Building Project No. 8666, Second District, as follows:

(Set hearing for 12/8/09. Time estimate 30 minutes.)

- a) Award a Fixed Price Construction Contract to the apparent low bidder, Melchiori Construction Company (a local vendor) in the amount of \$3,586,013.00, subject to the provisions of the documents and certifications as set forth in the plans and specifications applicable to the project and as required by California Law;
- b) 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 the County Counsel, Auditor-Controller and Risk Manager or their authorized representatives;
- c) Authorize the Director of General Services to approve change orders of an amount not to exceed \$25,000.00 plus 5% of the awarded contract amount less \$250,000.00, or \$191,800.65;
- d) Approve and authorize Chair to execute Amendment No. 1 to the Professional Services Agreement for The Austin Company for Construction Administration Services in the amount of \$179,487.00 inclusive of reimbursable expenses, for a total contract fee of \$550,618.00;
- e) Approve the Final Mitigated Negative Declaration and adopt the County's mitigation monitoring program pursuant to the California Environmental Quality Act (CEQA) guidelines for the Emergency Operations Center;
- f) Approve a Surety Deposit Agreement with the Goleta Water District for project related improvements; and
- g) Direct the Emergency Operations Chief to ensure compliance with the County's "Acceptance of Gifts by County" policy, accept a cash donation of approximately \$2,000,000.00 (two million) from the Orfalea Fund's "Aware and Prepare Initiative" and the Initiative's partnering philanthropic entities (local 501 (c)(3)) to be deposited in Fund 30 , Department 063 , Account 8666 (Capital Projects, Project No. 8666 (EOC)), solely for EOC construction and critical EOC system needs as agreed to between the County and the donor. (4/5 Vote Required)

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: December 8, 2009 in Santa Maria (EST. TIME: 30 MIN.) The motion carried by the following vote:

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

A-36) SOCIAL SERVICES**09-00997**

Set hearing to receive and file the KIDS Network's Annual Progress Report and presentation.
(Set hearing for 12/8/2009. Time estimate 20 minutes.)

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: December 8, 2009 in Santa Maria (EST. TIME: 20 MIN.). The motion carried by the following vote:

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

A-37) SUPERVISOR WOLF, SUPERVISOR GRAY**09-00977**

Set hearing to consider directing staff from County Counsel, Planning and Development, Sheriffs, and Probation Departments to return to the Board on February 2, 2010 to provide information and options, including draft language, related to the regulation, restriction, moratorium or ban on the operation of medical marijuana dispensaries.

(Set hearing for 12/8/09. Time estimate 1 hour 30 minutes.)

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: December 8, 2009 in Santa Maria (EST. TIME: 1 HR. 30 MIN.) The motion carried by the following vote:

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

A-38) SUPERVISOR WOLF**09-01006**

Set hearing to consider recommendations regarding the creation of an Ordinance for Tobacco-Free Parks and Beaches, as follows:

(Set hearing for 12/8/09. Time estimate 20 minutes.)

- a) Approve work to explore development of an Ordinance for tobacco-free parks and beaches;
- b) Direct the staff of the Public Health Department to work with the Parks Department to bring this matter to the Parks Commission for their input on December 10, 2009; and
- c) Return to the Board of Supervisors with recommendations on an Ordinance and sample language, if indicated.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: December 8, 2009 in Santa Maria (EST. TIME: 20 MIN.). The motion carried by the following vote:

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

Board of Directors, Redevelopment Agency

A-39) AUDITOR-CONTROLLER

09-00994

Acting as the Santa Barbara County Redevelopment Agency Board of Directors:

Receive and file the Annual Financial Report of the Redevelopment Agency for the Fiscal Year ending June 30, 2009.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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

Approval of Administrative Agenda

HEARING TIME: 9:13 A.M. - 10:31 A.M. (78 MIN.)

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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

Public Comment Period

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 03-282) (09-00001)

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

RE: Santa Barbara County Surveyor Mike Emmons was presented as the "2009 Engineer of the Year" by the California Association of Surveyors - Scott McGolpin, Director of Public Works, Addressed the Board.

RE: SEIU Local 620 Union issues - Bruce Corsaw and Mark Langdorf Addressed the Board.

RE: County tree removal policies - Dennis Mihora Addressed the Board.

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

Departmental Agenda
Planning Items and Public Hearings

1) PUBLIC HEALTH

[09-00925](#)

HEARING - Consider recommendations regarding the approval of an Ordinance which establishes the Santa Barbara County Public Health Department (PHD) Community Health Center Board (CHC) and Approve the CHC Membership and By-Laws, as follows: (EST. TIME: 5 MIN.)

- a) Consider the adoption (second reading) of an Ordinance establishing the Santa Barbara County CHC Board;
- b) Approve the eight (8) CHC Board Consumer Members recommended by the PHD with the remaining 5 members to be appointed by the Board of Supervisors (one [1] member from each district) by December 11, 2009; and
- c) Approve the recommended Santa Barbara County CHC Board By-Laws.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:47 A.M. - 10:48 A.M. (1 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) Adopted.

ORDINANCE NO. 4735

b) and c) Approved.

The motion carried by the following vote:

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

2) SHERIFF, FIRE, PUBLIC HEALTH, PARKS

[09-00919](#)

HEARING - Consider recommendations regarding a report on the Urgency Ordinance Prohibiting Use of Alcohol on Parks, Beaches, Recreational Areas and Beach Access Ways for Public Safety Purposes in the Community of Isla Vista and adoption of a Permanent Ordinance Prohibiting Use of Alcohol on Parks, Beaches, Recreational Areas, and Beach Access Ways for Public Safety Purposes in the Community of Isla Vista, Third District, as follows: (EST. TIME: 5 MIN.)

a) Consider the adoption (second reading) of an Ordinance Restricting use of Alcohol in Certain Parks, Beaches, Access Ways and Recreation Areas located in the Community of Isla Vista.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:50 A.M. - 11:12 A.M. (22 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Adopted.

ORDINANCE NO. 4736

The motion carried by the following vote:

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

3) PUBLIC HEALTH

[09-00901](#)

HEARING - Consider recommendations regarding the Spay-Neuter Task Force Report and Recommendations, as follows: (EST. TIME: 5 MIN.)

a) Consider the adoption (second reading) of Ordinance amendments to the County Code Chapter 7 and the Animal Services Fee Schedule; and

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

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:27 A.M. 11:35 A.M. (8 MIN.)

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

a) Adopted.

ORDINANCE NO. 4737

b) Approved.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Centeno

Abstained: 1 - Supervisor Gray

4) FIRE

09-01005

HEARING - Receive and file a presentation on the Fire Department Vegetation Management Program and its efforts in the Mission Canyon area. (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:36 A.M. - 12:06 P.M. (30 MIN.)

Received and filed staff presentation and conducted public hearing.

Special commendation presented by the Board to Captain David Neels for his development of the Fire Department Vegetation Management Program.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, 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

- 5) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS, REDEVELOPMENT [09-00966](#)
AGENCY, PUBLIC WORKS
HEARING - Consider recommendations regarding an Isla Vista Outdoor Dining Program Ordinance, Third District, as follows: (EST. TIME 20 MIN.)

- a) Consider the introduction (first reading) of the Isla Vista Outdoor Dining Program Ordinance amending Chapter 28 of the Santa Barbara County Code pertaining to the Use of County Sidewalks and Rights-Of-Way for Dining Purposes in Isla Vista;
- b) Adopt a Resolution to set a fee for the use of County Right-of-Way for Dining Purposes in Isla Vista; and
- c) Set a hearing for December 8, 2009, to consider the adoption (second reading) of the Ordinance, amending Chapter 28 of the Santa Barbara County Code, pertaining to the Use of County Sidewalks and Rights-of-Way for Dining Purposes in Isla Vista.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 1:40 P.M. - 2:04 P.M. (26 MIN.)

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

a) Read title, waived reading of the Ordinance in its entirety. Introduction approved; adoption (second reading) set for December 8, 2009.

b) and c) Set for December 8, 2009 in Santa Maria for the Administrative Agenda.

Directed staff to revise draft resolution as follows:

Change "may" to "shall" in Section D of Page 2, directing annual cost escalation factors adjusting fees based on CPI.

The motion carried by the following vote:

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

6) COUNTY EXECUTIVE OFFICE**09-00969**

HEARING - Consider recommendations regarding the County Municipal Energy Financing District, AB 811, as follows: (EST. TIME 30 MIN.)

- a) Receive and file a feasibility study and draft program administrative guidelines on the concept of developing a municipal energy finance program;
- b) Adopt a Resolution In the Matter of Using Energy Efficiency and Conservation Block Grant Funds to Establish a Municipal Energy Finance Program, and direct staff to seek additional opportunities to offset costs;
- c) Direct staff to begin formal program implementation;
- i) Seek program participation commitments from cities within Santa Barbara County; and
- ii) Return to the Board by January 12, 2010 to adopt a Resolution of Intention to form a municipal energy finance program tentatively called the Central Coast Energy Independence Program (CCEIP), and again at a later date for program adoption;
- d) Approve and authorize the Chair to execute an Agreement for Professional Legal Services with Bond Counsel Jones Hall, A Professional Law Corporation, for the period of December 1, 2009 through November 30, 2014, in an amount not to exceed \$117,500, and authorize County Counsel to use Bond Counsel to initiate a judicial validation action, if needed; and
- e) Authorize up to \$1 million as an advance receivable from the General Fund for program start-up and administration expenses, which is expected to be reimbursed over time by ARRA grants and program proceeds.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 2:05 P.M. - 3:25 P.M. (80 MIN.)

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

a) Received and filed staff presentation and conducted public hearing.

b) Adopted.

RESOLUTION NO. 09-362

c) i) and ii) Directed.

d) Approved; Chair to Execute.

e) Authorized.

The motion carried by the following vote:

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

7) PLANNING AND DEVELOPMENT

[09-00960](#)

HEARING - Consider recommendations regarding the Santa Barbara County Telecommunications Program and current projects, as follows: (EST. TIME: 2 HRS.)

- a) Receive and file a briefing in the matter of the Santa Barbara County Telecommunications Program and current permit processing;
- b) Provide further direction to Staff concerning potential amendments to the County's existing regulations for telecommunication facilities; and
- c) Provide further direction to Staff concerning a possible moratorium on the approval of applications for the siting of wireless telecommunication facilities.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 3:50 P.M. - 5:50 P.M. (2 HRS.)

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

- a) Received and filed staff presentation and conducted public hearing.**
- b) Directed staff to develop the process and scope necessary to tighten-up/strengthen the Telecommunications Ordinance, including but not limited to, siting of facilities, noticing, setbacks and peer review and to return to the Board with recommendations as appropriate.**
- c) No action taken.**

The motion carried by the following vote:

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

8) PLANNING AND DEVELOPMENT

[09-00958](#)

HEARING - Consider the request of Christopher Jacobs, agent for Bean Blossom LLC, to consider the appeals, Case Nos. 08APL-00000-00040 and 08APL-00000-00041 filed on November 6, 2008, of the Planning Commission's decision to uphold the Board of Architectural Review's denial of Preliminary Review, Case No. 03BAR-00000-00164, and the Planning and Development Department's denial of a Coastal Development Permit, Case No. 02CDP-00000-00023, for the Bean Blossom Lot X single-family residence and accessory structures, in compliance with Section 35-182 of the Article II Coastal Zoning Ordinance, on property located in the AG-II-100 and AG-II-320 zones. The application involves APN 081-210-047, located at 14000 Calle Real in the Gaviota Area, Third District, as follows: (EST. TIME 1 HR.)

- a) Approve the findings for denial of the project, Case Numbers 03BAR-00000-00164 and 02CDP-00000-00023, specified in the Planning Commission's action letter dated November 10, 2008;
- b) Determine disapproval of the project is exempt from CEQA pursuant to Section 15270 of the CEQA Guidelines;
- c) Deny the appeals, Case Numbers 08APL-00000-00040 and 08APL-00000-00041;
- d) Deny the project, Case Numbers 03BAR-00000-00164 and 02CDP-00000-00023.
- e) Consider and approve a modified project in lieu of the original project; and
- f) Refer back to staff if the Board takes other than the recommended action for appropriate findings and conditions.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 6:03 P.M. - 7:03 P.M. (60 MIN.)

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

a) through e) No action taken.

f) Referred modified project back to staff and the CBAR for analysis and accepted applicants offer to fund continuing permitting process costs on the modified project.

The motion carried by the following vote:

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

9) PLANNING AND DEVELOPMENT

[09-00967](#)

HEARING - Consider recommendations regarding the Malott appeal of the Planning Commission's July 8, 2009 approval of the Tracy Modification and Addition, Case Nos. 08MOD-00000-00006 and 08CDP-00000-00032, located at 2200 Banner Avenue, APN 005-133-058, in Summerland, First District, as follows: (EST. TIME: 1 HR. 45 MIN.)

- a) Deny the appeal, Case Nos. 09APL-00000-00022 and 09APL-00000-00023, thereby upholding the Planning Commission's approval, as shown in the July 10, 2009 Action Letter;
- b) Adopt the findings for approval of Case Nos. 08MOD-00000-00006 and 08CDP-00000-00032, as shown in Attachment A of the Planning Commission Staff Report dated April 16, 2009;
- c) Accept the Notice of Exemption, pursuant to CEQA Guidelines Sections 15305(a) and 15301(e), as shown in Attachment B of the Planning Commission Staff Report dated April 16, 2009; and
- d) Grant de novo approval of Case Nos. 08MOD-00000-00006 and 08CDP-00000-00032, subject to the conditions of approval, as shown in Attachments C and D of the Planning Commission Action Letter dated July 10, 2009.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 7:10 P.M. - 7:45 P.M. (35 MIN.)

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

- 1. Denied the appeal, Case Nos. 09APL-00000-00022 and 09APL-00000-00023, thereby upholding the Planning Commissions approval, as shown in the July 10, 2009 Action Letter, revised at the Board hearing of December 1, 2009 to replace with "included as Attachment A to the Board Letter";**
- 2. Adopted the findings for approval of Case Nos. 08MOD-00000-00006 and 08CDP-00000-00032, shown in Attachment A of the Planning Commission Staff Report dated April 16, 2009, revised at the Board hearing of December 1, 2009 to replace with "included as Attachment B to the Board Letter";**
- 3. Accepted the Notice of Exemption, pursuant to CEQA Guidelines sections 15305(a) and 15301(e), revised at the Board hearing of December 1, 2009, to delete the following: "as shown in Attachment B of the Planning Commission Staff Report dated April 16, 2009" and to replace with "included as Attachment C to the Board Letter; and**
- 4. Granted de novo approval of Case Nos. 08MOD-00000-00006 and 08CDP-00000-00032, subject to the revised conditions of approval, revised at the Board hearing of December 1, 2009 to delete "as shown in Attachments C and D of the Planning Commissions Action Letter dated July 10, 2009" and to replace with "included as attachments D and E to this Board Letter".**

The motion carried by the following vote:

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

Adjourned at 7:47 PM

The Board of Supervisors Adjourned the Meeting of December 1, 2009 in honor of SB County Fire Equipment Operator Dean Moore, Leo Trujillo of Santa Maria and Evelyn Genevieve "Gene" Holmdahl of Lompoc.

Adjourned to

December 8, 2009

Betteravia Government Center

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

Challenges**Announcements**

The meeting of Tuesday, December 1, 2009 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, December 3, 2009, at 5:00 PM and on Saturday, December 5, 2009, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>