

County of Santa Barbara
BOARD OF SUPERVISORS



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

Michael F. Brown, County Executive Officer

Action Summary

Tuesday, May 18, 2010

9:00 AM

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

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

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

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

CONVENED 9:14 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[10-00009](#)

Closed Session Agenda

County Counsel reported that, by unanimous vote, the Board took the following action:

County to join pending litigation: California Department of Forestry and Fire Protection v. Southern California Edison Company, SBSC Case No. 1339313.

No other reported action was taken.

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

Approval of Minutes of the May 11, 2010 Meeting

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

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

Administrative Agenda

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

Resolutions to be Presented**A-1) SUPERVISOR WOLF****[10-00433](#)**

Adopt a Resolution proclaiming May 22, 2010 as the First Annual Harvey Milk Day in Santa Barbara County.

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

RESOLUTION NO. 10-127

The motion carried by the following vote:

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

A-2) SUPERVISOR FARR**[10-00432](#)**

Adopt a Resolution of Commendation honoring Casa Pacifica and their therapy dog, Archibald 'Archie' Razz-M-Tazz, for their significant contributions to the lives of Santa Barbara County's children and youth.

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

RESOLUTION NO. 10-128

The motion carried by the following vote:

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

Honorary Resolutions**A-3) SUPERVISOR WOLF, SUPERVISOR FARR****10-00434**

Adopt a Resolution of Commendation honoring Lynette Meyer for her outstanding contributions to our community and for 42 years of service as an educator in Santa Barbara County.

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

RESOLUTION NO. 10-129

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 COUNSEL****10-00458**

Approve and authorize the Chair to execute an Agreement for Professional Legal Services, for outside counsel, between the County of Santa Barbara and the law firm of Rutan and Tucker, LLP, specifying a not-to-exceed amount for services of \$100,000.00, for litigation to enforce a restrictive land use covenant at Elings Park South, in Santa Barbara, Second District. (4/5 Vote Required)

A motion was made by Supervisor Gray, 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-5) COUNTY EXECUTIVE OFFICE**10-00441**

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

A motion was made by Supervisor Gray, 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-6) FIRE**10-00435**

Approve and authorize the County Purchasing Manager to procure, through a Lease Purchase Agreement, six 12-Lead EKG Defibrillator Cardiac Monitors in the amount of \$143,117.64 from Physio-Control Inc., the sole source vendor for the Life Pac 15 defibrillator, without being required to conduct a formal bid process. This request for a sole source lease/purchase is recommended by the County Purchasing Manager.

A motion was made by Supervisor Gray, 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-7) GENERAL SERVICES**10-00443**

Consider recommendations regarding the Santa Barbara Courthouse Mural Conservation Contract (PDFIRE/8700), First District, as follows: (4/5 Vote Required)

a) Approve and authorize Chair to execute the Professional Services Agreement with the South Coast Fine Art Conservation Center, Inc. (a local vendor) to provide fine art conservation cleaning, for the Santa Barbara Courthouse, Mural Room, Groesbeck Murals, in the not to exceed amount of \$450,000.00 including reimbursable expenses; and

b) Approve Budget Revision Request No. 0000879 for \$500,000.00, recognizing revenue from insurance reimbursements for the cleaning of the painted murals in the Santa Barbara Courthouse by South Coast Fine Arts Conservation Center, Inc. and appropriating the expenses in the Capital Outlay Fund 0030.

A motion was made by Supervisor Gray, 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-8) GENERAL SERVICES**[10-00444](#)**

Consider recommendations regarding the award of Contract to Environmental Heating and Air for Santa Barbara Courthouse Temporary Chiller Project No. F02003, First District, as follows:

- a) Approve the plans and specifications for the Courthouse Temporary Chiller Project No. F02003. Plans and specifications are on file with General Services Facilities, Capital Maintenance Program;
- b) Approve and authorize the Chair to execute a Contract with Environmental Heating and Air Conditioning (not a local vendor) in the amount of \$ 137,118.00 for the Courthouse Temporary Chiller Project; and
- c) Authorize the Director of General Services to approve change orders of an amount not to exceed 10% of the base amount, or \$ 13,712.00 for this contract.

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

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

The motion carried by the following vote:

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

A-9) GENERAL SERVICES**[10-00445](#)**

Consider recommendations regarding the Emergency Operations Center, Project No. 8666, and Clerk Recorder Assessor Election Division Consolidation Project No. 8685, Phase II, Second District, as follows:

- a) Authorize the Director of General Services to approve change orders, for the Emergency Operations Center (EOC) Project, in an amount not to exceed 10% of the first \$250,000.00 of the original Contract amount, plus 5% of the remaining original Contract amount, but not to exceed \$150,000.00. The original contract amount awarded by the Board of Supervisors was \$3,586,013.00, so the requested change order authorization is \$150,000.00; and
- b) Authorize the Director of General Services to approve change orders, for the Clerk Recorder Assessor Election Division Consolidation (CRA) Project, in an amount not to exceed 10% of the original contract amount. The original contract amount awarded by the Board was \$205,161.00, so the requested change order authorization is \$20,516.10.

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

a) and b) Authorized;

The motion carried by the following vote:

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

A-10) PARKS

[10-00446](#)

Consider recommendations regarding the allocation of \$149,050.00 from the Orcutt Quimby Fund and Orcutt Development Fee Agency Fund towards the design of play fields at Waller Park, Fourth District, as follows: (4/5 Vote Required)

a) Approve a budget revision to appropriate \$149,050.00 from the Orcutt Quimby Fund (1397) and the Orcutt Development Fee Agency Fund (1398) towards the design of active recreation sports fields at Waller Park; and

b) Authorize the Parks Director to execute an Agreement with the firm RRM Design of San Luis Obispo (not a local vendor) for the study and design of active recreation sports fields at Waller Park.

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

a) Approved; and

b) Authorized.

The motion carried by the following vote:

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

A-11) PARKS

[10-00449](#)

Consider recommendations regarding a Concession Agreement with Pyramid Enterprises Inc. to operate the Cachuma boat and marina concession at Cachuma Recreational Area, Third District, as follows:

a) Approve and authorize the Chair to execute a Concession Agreement between the County of Santa Barbara and Pyramid Enterprises Inc. (not a local vendor) for the concessioner's use of the County boats and marina facility located within the Cachuma Recreational Area on a month to month basis, for a monthly rental amount of 10% of the concessioner's gross sales, with a minimum monthly base rent of \$3,000.00; and

b) Authorize the Director of Parks to administer the Concession Agreement on behalf of the County of Santa Barbara.

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

a) Approved; Chair to execute; and

b) Authorized.

The motion carried by the following vote:

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

A-12) PUBLIC HEALTH

[10-00452](#)

Authorize the Purchasing Manager to issue a purchase order to Upp Technology, Inc. (not a local vendor) in an amount not to exceed \$85,000.00 for the purchase and installation of their proprietary IRMS™ inventory and emergency management and response system without a competitive bid.

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, 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-13) PUBLIC WORKS

[10-00436](#)

Adopt a Resolution authorizing the filing of a \$1,629,846.00 claim with the Santa Barbara County Association of Governments (SBCAG) for an allocation of Transportation Development Act (TDA) funds for Fiscal Year 2010-2011.

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

RESOLUTION NO. 10-130

The motion carried by the following vote:

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

A-14) PUBLIC WORKS**[10-00437](#)**

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

- a) Approve the Project and Categorical Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for construction of the Santa Maria Mesa Road at Foxen Canyon Road Intersection Realignment Project;
- b) Authorize the Director of Public Works to proceed with right-of-way negotiations for construction of the Santa Maria Mesa Road at Foxen Canyon Road Intersection Realignment Project; and
- c) Authorize the Director of Public Works to advertise for construction bids for construction of the Santa Maria Mesa Road at Foxen Canyon Road Intersection Realignment Project.

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

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

The motion carried by the following vote:

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

A-15) PUBLIC WORKS**[10-00438](#)**

Consider recommendations regarding car share parking locations in Isla Vista, Third District, as follows:

- a) Adopt a Resolution establishing car share parking zones on Pardall Road;
- b) Adopt a Resolution establishing car share parking zones on Camino Pescadero; and
- c) Adopt a Resolution establishing car share parking zones on Embarcadero del Mar.

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

a) Adopted;

RESOLUTION NO. 10-131

b) Adopted; and

RESOLUTION NO. 10-132

c) Adopted.

RESOLUTION NO. 10-133

The motion carried by the following vote:

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

A-16) PUBLIC WORKS**[10-00439](#)**

Approve the release of the monument deposit collected in the amount of \$34,500.00 that was posted to insure the setting of the interior monumentation for Tract Map No. 14,487, Phases 1 and 2 (Providence Landing), Third District.

A motion was made by Supervisor Gray, 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, LAGUNA COUNTY
SANITATION DISTRICT

[10-00440](#)

Acting as the Board of Directors, Laguna County Sanitation District:

Consider recommendations regarding the award of Contract to Cushman Contracting Corporation for replacement of the primary digester dome at the Laguna County Sanitation District Wastewater Reclamation Plant, Fourth District, as follows: (4/5 Vote Required)

- a) Approve plans and specifications for the Laguna County Sanitation District Primary Digester Dome Replacement project. Plans and specifications are on file with the Laguna County Sanitation District;
- b) Adopt a Resolution pursuant to Public Contract Code Section 22034(f) authorizing the Laguna County Sanitation District Board of Directors to award the Contract;
- c) Award the Construction Contract to the lowest responsible bidder, Cushman Contracting Corporation (a local vendor), to replace the primary digester dome at the Laguna County Sanitation District Wastewater Reclamation plant in the amount of \$126,320.00; and
- d) Approve a contingency of \$11,180.00 (total contract not to exceed \$137,500.00) for the project and authorize the Public Works Director or designee to approve change orders up to this amount.

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

- a) Approved, Chair to execute;**
- b) Adopted;**

RESOLUTION NO. 10-134

- c) and d) Approved.**

The motion carried by the following vote:

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

Board of Supervisors**A-18) SUPERVISOR WOLF****[10-00456](#)**

Approve the nomination of First District Supervisor Salud Carbajal to serve on the New Santa Barbara Criminal Courts Building Project Advisory Group.

A motion was made by Supervisor Gray, 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-19) SUPERVISOR GRAY**[10-00451](#)**

Approve the appointment of Douglas Lee Sorum to the Advisory Board on Alcohol and Drug Problems, term ending May 31, 2013, Fourth District.

A motion was made by Supervisor Gray, 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-20) SUPERVISOR GRAY**[10-00431](#)**

Approve the Priorities for Subsidized Child Development Program Funding, Santa Barbara County, to be submitted by the Santa Barbara County Child Care Planning Council to the California Department of Education.

A motion was made by Supervisor Gray, 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-21) COUNTY EXECUTIVE OFFICE****[10-00447](#)**

Set hearings for the Fiscal Year 2010-2011 Proposed Operating Plan and Budget to begin Monday, June 7, 2010 and continue if necessary, through Friday, June 18, 2010, with specific hearings scheduled for Monday, June 7, 2010; Wednesday, June 9, 2010; and Friday, June 11, 2010.

(Set hearings for 6/7/10; 6/9/10; and 6/11/10. Time estimate 8 hours/hearing.)

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: June 7, 2010; June 9, 2010; and June 11, 2010 in Santa Barbara (EST. TIME: 8 HRS..). The motion carried by the following vote:

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

A-22) COUNTY EXECUTIVE OFFICE**[10-00454](#)**

Set hearing to consider a policy report on reorganization options for the Information Technology Department, and give such direction as the Board of Supervisors determines appropriate.

(Set hearing for 5/25/10. Time estimate 30 minutes.)

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: May 25, 2010 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-23) COUNTY EXECUTIVE OFFICE**[10-00455](#)**

Set hearing to consider a policy report on reorganization options for the Housing and Community Development Department, and give such direction as the Board of Supervisors determines appropriate.

(Set hearing for 5/25/10. Time estimate 30 minutes.)

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: May 25, 2010 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-24) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND
WATER CONSERVATION DISTRICT

10-00430

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

Set hearing to consider recommendations regarding the Flood Control Benefit Assessment Program for Fiscal Year 2010-2011 as follows:

(Set hearing for 6/15/10. Time estimate 10 minutes.)

a) Consider the introduction (first reading) of an Ordinance amending Ordinance No. 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services imposing Flood Control Benefit Assessments for Fiscal Year 2010-2011;

b) Receive and file a report regarding Flood Control Benefit Assessment for Fiscal Year 2010-2011 and direct recordation; and

c) Set hearing for July 6, 2010 on the Administrative Agenda to consider recommendations as follows:

i) Make a determination upon each assessment described in the report filed by the Board of Supervisors at the June 15, 2010 meeting;

ii) Adopt a Resolution confirming Flood Control Benefit Assessment for Fiscal Year 2010-2011 and authorize the Clerk of the Board to record a certified copy;

iii) Consider the adoption (second reading) of an Ordinance amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services imposing Flood Control Benefit Assessments for Fiscal Year 2010-2011;

iv) Find that the assessment revenue will be used to meet operating expenses, including employee wage rates and fringe benefits, purchasing or leasing supplies, equipment, or materials, meeting financial reserve needs and requirements obtaining funds for capital projects necessary to maintain service within existing service areas, within meaning of Public Resources Code Section 21080(b)(8); and

v) Find that the recalculation and imposition of the annual Flood Control Benefit Assessment is not a 'project' as defined in CEQA Guidelines Section 15378.

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

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

A-25) SOCIAL SERVICES**[10-00448](#)**

Set hearing to receive and file the Workforce Investment Act (WIA) Five-Year Plan modification for 2009-2010 and the Workforce Investment Act/Wagner Peyser Act of the American Recovery and Reinvestment Act of 2009 Local Plan as required by the State of California.

(Set hearing for 5/25/10. Time estimate 15 minutes.)

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: May 25, 2010 in Santa Maria (EST. TIME: 15 MIN.). The motion carried by the following vote:

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

A-26) COUNTY EXECUTIVE OFFICE**[10-00474](#)**

Receive and file an update on Measure K2010, the Transient Occupancy Tax Rate, which is a local measure on the June 8, 2010 statewide primary election.

A motion was made by Supervisor Gray, 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: 9:16 A.M. - 9:38 A.M. (22 MIN.)

A motion was made by Supervisor Gray, 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

Board Member Reports

HEARING TIME: 9:39 A.M. - 9:41 A.M. (2 MIN.)

**Re: Midland School celebration - Third District Supervisor Doreen Farr
Addressed the Board.**

**Re: County of Santa Barbara nominated for national award by States of
Nevada and California for "Ag Promotional" video - Fourth District
Supervisor Joni Gray Addressed the Board.**

Public Comment Period

HEARING TIME: 9:42 A.M. - 9:48 A.M. (6 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: Fifth District Supervisorial District Election - Ernest Armenta
Addressed the Board**

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

Departmental Agenda
Planning Items and Public Hearings

Department requests continuance of Departmental Item No. 1) to May 25, 2010

1) **PLANNING AND DEVELOPMENT**

[10-00370](#)

HEARING - Consider recommendations regarding amendments to the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act (CEQA) regarding selection of the environmental coordinator and hearing officer for public projects, as follows: (EST. TIME: 25 MIN.)

a) Adopt a Resolution amending the County of Santa Barbara Guidelines for the Implementation of the California Environmental Quality Act regarding the environmental coordinator and hearing officer requirements for public projects; and

b) Find that these amendments are exempt from the California Environmental Quality Act pursuant to Section 15378(b) (5) of the Guidelines for Implementation of CEQA.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 9:49 A.M. - 9:50 A.M. (1 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Continued, as follows: May 25, 2010 in Santa Maria (EST. TIME: 25 MIN.). The motion carried by the following vote:

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

Department requests continuance of Departmental Item No. 2) to May 25, 2010**2) HOUSING AND COMMUNITY DEVELOPMENT****[10-00368](#)**

HEARING - Consider recommendations regarding a Santa Ynez Valley Tourism Business Improvement District, Third District, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file a report on the potential formation of the Santa Ynez Valley Tourism Business Improvement District;
- b) Consider the adoption of a Resolution of Consent of the County of Santa Barbara supporting the City of Solvang's establishment of the Santa Ynez Valley Tourism Business Improvement District that would include part of the unincorporated area of the County; and
- c) If the Board adopts the Resolution of Consent, approve a Notice of Exemption pursuant to County's California Environmental Quality Act Guidelines, citing CEQA Guidelines Sections 15060(c)(3) and 15378(b)(4).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 5/25/10

HEARING TIME: 9:50 A.M. - 9:51 A.M. (1 MIN.)

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Continued, as follows: May 25, 2010 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

3) TREASURER-TAX COLLECTOR10-00424

HEARING - Consider recommendations regarding the Tax and Revenue Anticipation Note Short Term Financing Program for Fiscal Year 2010-2011, as follows: (4/5 Vote Required) (EST. TIME: 10 MIN.)

a) Adopt a Resolution In The Matter Of Providing For The Borrowing Of Funds For Fiscal Year 2010-2011 And The Issuance And Sale Of County Of Santa Barbara, California, 2010-2011 Tax And Revenue Anticipation Notes;

b) Adopt a Resolution In The Matter Of Affirming That Moneys In Internal Service Funds Are Available Only For Designated Purposes And Are Reasonably Required And May Be Loaned For Temporary Cash Flow Needs;

c) Authorize the Treasurer - Tax Collector to execute the Contract of Purchase with De La Rosa and Company for the issuance of non-taxable Tax and Revenue Anticipation Notes in accordance with State and Federal law, in an amount not to exceed \$105,000,000.00, at a yield not to exceed 2.0%, to meet General Fund cash flow requirements during the 2010-2011 fiscal year;

d) Approve and authorize the Chair to execute an Agreement with Orrick, Herrington, and Sutcliffe, LLP to perform legal services as bond counsel incident to the execution and delivery of 2010-2011 Tax and Revenue Anticipation Notes in an amount not to exceed \$20,000.00; and

e) Authorize the Treasurer - Tax Collector to abandon this issuance if market conditions are deemed financially unfavorable.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 9:52 A.M. - 9:56 A.M. (4 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Adopted;

RESOLUTION NO. 10-135

b) Adopted;

RESOLUTION NO. 10-136

c) Authorized;

d) Approved, Chair to execute; and

e) Authorized.

The motion carried by the following vote:

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

4) TREASURER-TAX COLLECTOR10-00425

HEARING - Consider recommendations regarding the issuance of the Santa Barbara County 2010 Certificates of Participation, as follows: (4/5 Vote Required) (EST. TIME: 15 MIN.)

a) Approve and authorize the County Treasurer-Tax Collector to execute the Contract of Purchase for the issuances of the Series A-1 non-taxable and/or the Series A-2 taxable 2010 Certificates of Participation in accordance with State and Federal law, in an aggregate amount not to exceed \$22 million, at a yield not to exceed 6.5% for Series A-1 and at a yield not to exceed 9.0% Series A-2;

b) Authorize the financing of the following capital improvements:

i) Public Defender Courthouse Remodel;

ii) Emergency Operations Center Construction; and

iii) Betteravia Administration Building and Back-Up Emergency Operations Center Construction;

c) Approve and authorize the Chair to execute a contract appointing Orrick, Herrington & Sutcliffe as Bond Counsel; and accept a proposal for Trustee, Registrar, and Paying Agent Services from US Bank Corporate Trust Services;

d) Direct the County Treasurer-Tax Collector, County Auditor-Controller, County Counsel, and General Services to proceed with all necessary actions required to issue the 2010 Certificates of Participation;

e) Authorize the Treasurer-Tax Collector to abandon the issuance if market conditions are deemed to have become financially unfavorable;

f) Adopt a Resolution in the Matter of Authorizing the Execution and Delivery of a Lease, a Sublease, an Assignment Agreement, a Trust Agreement, and a Contract of Purchase; Approving Execution of Certificates of Participation to Finance Certain Capital Improvements; Approving an Official Statement for Said Certificates of Participation; Authoring the Execution and Delivery of a Continuing Disclosure Agreement; and Authorizing Certain Other Actions in Connection with the Lease Financing; and

g) Approve the budget revision.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 1:05 P.M. - 1: 26 P.M. (24 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Approved;

b) Authorized;

c) Approved; Chair to execute;

d) Directed;

e) Authorized;

f) Adopted as revised at the hearing on May 18, 2010; and

RESOLUTION NO. 10-137

g) Adopted.

The motion carried by the following vote:

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

5) PLANNING AND DEVELOPMENT[10-00349](#)

HEARING - Consider recommendations regarding an appeal filed by the Friends of Mission Canyon (09APL-00000-00031) of the Planning Commission's October 26, 2009 approval of the Santa Barbara Botanic Garden's Vital Mission Plan project, located at 1212 Mission Canyon Road in the Mission Canyon area, First District, as follows: (EST. TIME: 1 HR.)

- a) Deny the appeal, Case No. 09APL-00000-00031, thereby upholding the County Planning Commission's approval of 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) as revised herein;
- b) Make the required findings for approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), including California Environmental Quality Act (CEQA) findings;
- c) Certify the Final Environmental Impact Report, 07EIR-00000-00001, including the FEIR Revision Letter (RV1), and adopt the mitigation monitoring program contained in the conditions of approval; and
- d) Grant de novo approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), as revised from the Planning Commission approval, subject to the revised conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:00 A.M. - 3:55 P.M. (4 HRS. 25 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) through d) Continued to June 1, 2010 in Santa Barbara (EST. TIME: 30 MIN.).

The Board took conceptual action to approve the Botanic Garden Vital Mission Plan subject to a number of modified conditions of approval and directed staff to return with a draft of these updated conditions of approval as well as findings supporting their de novo approval.

The motion carried by the following vote:

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

6) PLANNING AND DEVELOPMENT[10-00351](#)

HEARING - Consider recommendations regarding an appeal filed by the Mission Canyon Association (09APL-00000-00030) of the Planning Commission's October 26, 2009 approval of the Santa Barbara Botanic Garden's Vital Mission Plan project, located at 1212 Mission Canyon Road in the Mission Canyon area, First District, as follows: (EST. TIME: 1 HR.)

- a) Deny the appeal, Case No. 09APL-00000-00030, thereby upholding the County Planning Commission's approval of 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) as revised herein;
- b) Make the required findings for approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), including California Environmental Quality Act (CEQA) findings;
- c) Certify the Final Environmental Impact Report, 07EIR-00000-00001, including the FEIR Revision Letter (RV1), and adopt the mitigation monitoring program contained in the conditions of approval; and
- d) Grant de novo approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), as revised from the Planning Commission approval, subject to the revised conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:00 A.M. - 3:55 P.M. (4 HRS. 25 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) through d) Continued to June 1, 2010 in Santa Barbara (EST. TIME: 30 MIN.).

The Board took conceptual action to approve the Botanic Garden Vital Mission Plan subject to a number of modified conditions of approval and directed staff to return with a draft of these updated conditions of approval as well as findings supporting their de novo approval.

The motion carried by the following vote:

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

7) PLANNING AND DEVELOPMENT[10-00352](#)

HEARING - Consider recommendations regarding an appeal filed by Frank Arredondo and Friends of Xana'yan (09APL-00000-00029) of the Planning Commission's October 26, 2009 approval of the Santa Barbara Botanic Garden's Vital Mission Plan project, located at 1212 Mission Canyon Road in the Mission Canyon area, First District, as follows: (EST. TIME: 1 HR.)

- a) Deny the appeal, Case No. 09APL-00000-00029, thereby upholding the County Planning Commission's approval of 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) as revised herein;
- b) Make the required findings for approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan);
- c) Certify the Final Environmental Impact Report, 07EIR-00000-00001, including the FEIR Revision Letter (RV1), and adopt the mitigation monitoring program contained in the conditions of approval; and
- d) Grant de novo approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), as revised from the Planning Commission approval, subject to the revised conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:00 A.M. - 3:55 P.M. (4 HR. 25 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) through d) Continued to June 1, 2010 in Santa Barbara (EST. TIME: 30 MIN.).

The Board took conceptual action to approve the Botanic Garden Vital Mission Plan subject to a number of modified conditions of approval and directed staff to return with a draft of these updated conditions of approval as well as findings supporting their de novo approval.

The motion carried by the following vote:

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

8) PLANNING AND DEVELOPMENT[10-00350](#)

HEARING - Confirm, modify, or set aside the Historic Landmarks Advisory Commission's actions on November 9, 2009 regarding an appeal filed by the Santa Barbara Botanic Garden (09APL-00000-00041) of the Historic Landmarks Advisory Commission's November 9, 2009 decision regarding the Botanic Garden's Vital Mission Plan project, located at 1212 Mission Canyon Road in the Mission Canyon area, First District. (EST. TIME: 2 HRS.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 4:21 P.M. - 5:45 P.M. (1 HR. 19 MIN.)

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

Received and filed staff presentation and conducted public hearing.

Conceptually upheld the HLAC's action and denied the Botanic Garden's appeal.

Further directed staff to return on June 1, 2010 with findings to support denial of the appeal.

The motion carried by the following vote:

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

Adjourned at 5:50 pm

Adjourned to

May 25, 2010

Betteravia Government Center

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

Announcements

The meeting of Tuesday, May 18, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, May 20, 2010, at 5:00 PM and on Saturday, May 22, 2010, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>