

County of Santa Barbara
BOARD OF SUPERVISORS



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

Chandra L. Wallar, County Executive Officer

Action Summary

Tuesday, April 12, 2011

9:00 AM

**JOSEPH CENTENO BETTERAVIA GOVERNMENT
ADMINISTRATION BUILDING, 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: 9:01 A.M.

Roll Call

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

Pledge of Allegiance

Report from Closed Session

Approval of Minutes of the April 5, 2011 Meeting

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

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

Abstained: 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 1:30 P.M.

A-1) SUPERVISOR LAVAGNINO [11-00286](#)

Adopt a Resolution of Commendation honoring the St. Joseph Girls Basketball Team for their outstanding accomplishment in winning the CIF Division III State Championship trophy.

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

RESOLUTION NO. 11-168

The motion carried by the following vote.

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

A-2) SUPERVISOR WOLF [11-00297](#)

Adopt a Resolution proclaiming the week of April 10, 2011 through April 16, 2011 as National Crime Victims' Rights Week in Santa Barbara County.

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

RESOLUTION NO. 11-169

The motion carried by the following vote.

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

A-3) SUPERVISOR FARR [11-00298](#)

Adopt a Resolution of Commendation honoring the California Native Plant Society in celebration of California Native Plant Week, April 17, 2011 through April 23, 2011.

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

RESOLUTION NO. 11-170

The motion carried by the following vote.

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

A-4) SUPERVISOR GRAY[11-00239](#)

Adopt a Resolution proclaiming the week of May 1, 2011 through May 7, 2011 as Elks National Youth Week in Santa Barbara County.

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

RESOLUTION NO. 11-171

The motion carried by the following vote.

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

Administrative ItemsA-5) AUDITOR-CONTROLLER[11-00288](#)

Consider recommendations regarding the impoundment of various taxing entities' 2010-2011 property tax revenue, as follows:

a) Approve and authorize the Auditor-Controller to impound \$1,088,540.00 of 2010-2011 current year taxes from various entities' property tax revenues as noted on Schedule A to mitigate potential losses from large assessment appeals filed by taxpayers; and

b) Determine that the decision to approve and authorize the impoundment is not a project under the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(3) and 15378(b)(4) of the CEQA Guidelines, because it is a government fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical effect on the environment.

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

a) and b) Approved.

The motion carried by the following vote.

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

A-6) GENERAL SERVICES[11-00289](#)

Consider recommendations regarding the Santa Maria Courthouse Hazard Mitigation Program, Project No. 8518, Fifth District, as follows:

- a) Grant the low bidder's, Color New Co., request for relief from their bid due to a clerical mistake, without forfeiture of bid bond;
- b) Find that the bid of the second lowest bidder, Tomar Construction Inc., is non-responsive to the bidding documents;
- c) Award a fixed price Construction Contract in the amount of \$544,999.00 to the lowest responsive bidder, Diani Building Corp. of Santa Maria, CA (a local vendor), subject to the provisions of the Contract and the plans and specifications applicable to the project and as required by California Law;
- d) 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; and
- e) Authorize the Director of General Services or designee to approve change orders up to the limit specified in Public Contract Code Section 20142, or \$39,750.00 for this Contract.

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

a) through d) Approved; and

e) Authorized.

The motion carried by the following vote.

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

A-7) HOUSING AND COMMUNITY DEVELOPMENT

11-00285

Consider recommendations regarding the Creekside Village HOME Investment Partnerships Program (HOME) Loan Agreement, Third District, as follows:

- a) Approve the final commitment of \$1,228,227.00 in HOME Investment Partnerships Program (HOME) funds to Los Alamos Creekside Village, L.P. for development of the Creekside Village Project providing 39 affordable rental units in Los Alamos;
- b) Approve the final commitment of \$800,000.00 in Local Affordable Housing Funds (Local Funds) to Los Alamos Creekside Village, L.P., for the aforementioned project;
- c) Approve and authorize the Chair to execute a Loan Agreement in the amount of \$2,028,227.00, a HOME Regulatory Agreement, and an In-Lieu Regulatory Agreement; and
- d) Authorize the Deputy Director of Housing and Community Development to execute two Subordination Agreements in a form approved by County Counsel, one for a loan by the US Bank, and one for a grant by the State of California Department of Housing and Community Development through the Joe Serna Jr. Farm Worker Housing Program.

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

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

The motion carried by the following vote.

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

A-8) HUMAN RESOURCES[11-00264](#)

Consider recommendations regarding changes to vacation conversion and lump-sum payment provisions, as follows:

- a) Adopt a change to Section 10-H of the Management Resolution to require the concurrence of the County Executive Officer on requests to convert vacation time to pay (vacation conversion); and
- b) Adopt a change to the Unrepresented Executive and Management Classification and Salary Resolution to eliminate lump-sum payments as an element of compensation for this group of employees.

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

a) Adopted; and

RESOLUTION NO. 11-172

b) Adopted

RESOLUTION NO. 11-173

The motion carried by the following vote.

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

A-9) PUBLIC HEALTH[11-00293](#)

Approve and authorize the Chair to execute a Plan with the State Department of Health Services for the Children's Medical Services program for the period of July 1, 2010 through June 30, 2011, which includes the Child Health and Disability Prevention Program in the amount of \$594,385.00; California Children's Services Administration in the amount of \$3,126,633.00; and Health Care Program for Children in Foster Care in the amount of \$159,536.00; for a total amount of \$3,880,554.00.

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

A-10) PUBLIC WORKS, PARKS**11-00294**

Consider recommendations regarding the preliminary design and environmental services for the Replacement of Goleta Beach Park Bridge 51C-0158, County Project 862319, Second District, as follows:

- a) Approve and authorize the Chair to execute an Agreement with Quincy Engineering Inc. (not a local vendor), Sacramento, California, for preliminary design and environmental services for the Replacement of Goleta Beach Park Bridge 51C-0158, Project Number 862319, at a cost of \$406,300.00; and
- b) Authorize the Director of Public Works to approve amendments to the Agreement for supplemental work up to \$40,630.00.

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

A-11) PUBLIC WORKS**11-00292**

Consider recommendations regarding the Tajiguas Landfill Phase IIC Groundwater Protection System, County Project No.828356, Third District, as follows:

- a) Consider recommendations for the award of the Construction Contract, as follows:
 - i) Approve plans and specifications for construction of the Tajiguas Landfill Phase IIC Groundwater Protection System;
 - ii) Award the Construction Contract in the amount of \$3,230,630.05 to the lowest responsible bidder, Papich Construction Co., Inc.(not a local vendor), subject to the provisions of documents and certification, as set forth in the plans and specifications applicable to the project, as required under California Law;
 - iii) Approve and authorize the Chair to execute the Construction Contract upon return of the Contractor's executed contract documents and the approval of the County Counsel, Auditor Controller and Risk Manager or their authorized representatives; and
 - iv) Approve a contingency in the amount of \$174,031.50 for construction of the Tajiguas Landfill Phase IIC Groundwater Protection System; and

b) Consider recommendations for the acquisition of professional consulting services, as follows:

i) Approve and authorize the Chair to execute a Contract with the engineering firm Geosyntec Consultants (not a local vendor) to provide Construction Quality Assurance services for the construction of the Tajiguas Landfill Phase IIC Groundwater Protection System, in the amount of \$176,391.00.

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

a) i) through iv) Approved; and

b) i) Approved; Chair to execute.

The motion carried by the following vote.

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

A-12) PUBLIC WORKS

11-00290

Consider recommendations regarding the Oak Knoll - Patterson Road Sewer Upgrade, Fourth District, as follows:

a) Approve the Oak Knoll Road - Patterson Road Sewer Upgrade project and the categorical exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines; and

b) Authorize the Director of Public Works to advertise the Oak Knoll Road - Patterson Road Sewer Upgrade project for consideration bids.

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

A-13) PUBLIC WORKS[11-00296](#)

Consider recommendations regarding the Union Valley Parkway at Bradley Road Intersection Improvements, Federal Project No. ESPL 5951(129), County Project No. 862314, Fourth District, as follows:

- a) Accept a Notice of Completion for work performed by the Contractor, Cal Portland Construction, Inc. (a local vendor), Post Office Box 1280, Santa Maria, CA 93456; and
- b) Approve and authorize the Chair to execute the Statement of Final Quantities for the construction of the Union Valley Parkway at Bradley Road Intersection Improvements, for work performed and materials supplied for this project by the Contractor in the amount of \$1,462,779.25.

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

- a) **Accepted; 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 Lavagnino

A-14) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT[11-00295](#)

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

Consider recommendations regarding Amendment No. 2 to the Agreement with Dudek and Amendment No. 2 to the Agreement with HDR Engineering, Inc. for the Las Vegas/San Pedro Creeks Improvement Project, Third District, as follows:

- a) Approve and authorize the Chair to execute Amendment No. 2 to the Agreement with Dudek (a local vendor) for environmental services for the Las Vegas/San Pedro Creeks Improvement Project by increasing the amount of the agreement by \$22,400.00 to a total not to exceed \$361,870.00 and extending the contract period from December 31, 2010 to December 31, 2011; and
- b) Approve and authorize the Chair to execute Amendment No. 2 to the Agreement with HDR Engineering, Inc. (not a local vendor) for engineering services for the Las Vegas/San Pedro Creeks Improvement Project by increasing the amount of the Agreement by \$15,000.00 to a total not to exceed \$544,351.00 and extending the contract period from June 30, 2011 to December 31, 2011.

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

A-15) SUPERVISOR WOLF, SOCIAL SERVICES

11-00291

Consider recommendations regarding Child Abuse Prevention Month, as follows:

- a) Adopt a Resolution proclaiming April 2011 as Child Abuse Prevention Month in Santa Barbara County; and
- b) Receive and file the Santa Barbara County Child Abuse Prevention Council’s annual progress report.

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

a) Adopted; and

RESOLUTION NO. 11-174

b) Received and filed.

The motion carried by the following vote.

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

Board of Supervisors**A-16) SUPERVISOR LAVAGNINO [11-00279](#)**

Approve the reappointment of Margie Lopez to the Mental Health Commission, term ending August 1, 2013, Fifth District.

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

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

A-17) SUPERVISOR LAVAGNINO [11-00280](#)

Approve the reappointment of Charles E. Huffines to the Mental Health Commission, term ending June 1, 2012, Fifth District.

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

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

A-18) SUPERVISOR LAVAGNINO [11-00281](#)

Approve the reappointment of William Howard Wittausch to the Historic Landmarks Advisory Committee, term ending January 1, 2015, Fifth District.

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

A-19) SUPERVISOR LAVAGNINO

[11-00282](#)

Approve the reappointment of Greg A. Ravatt to the Board of Architectural Review - North County, term ending December 31, 2014, Fifth District.

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

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

A-20) SUPERVISOR LAVAGNINO

[11-00283](#)

Approve the reappointment of John R. Hood to the Arts Commission, term ending June 30, 2012, Fifth District.

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

Hearing Requests

A-21) HOUSING AND COMMUNITY DEVELOPMENT

[11-00278](#)

Set hearing to consider recommendations regarding the Santa Barbara County HOME Consortium and CDBG Urban County Partnership Draft 2011 Action Plan, as follows:
(Set hearing for 4/19/2011. Time estimate 30 minutes.)

- a) Receive and file a staff report on the Santa Barbara County HOME Consortium and CDBG Urban County Partnership Draft 2011 Action Plan, and the annual Notice of Funding Availability process, including recommendations for award of HOME Investment Partnerships Act (HOME), Community Development Block Grant (CDBG), and Emergency Shelter Grants (ESG) funding;
- b) Direct staff to finalize the 2011 Action Plan, including the final funding awards under the HOME, CDBG and ESG programs; and
- c) Set a hearing on the Administrative Agenda of May 10, 2011 to consider the approval of final submission to the United States Department of Housing and Urban Development (HUD).

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, that this matter be Set for a hearing, as follows: April 19, 2011 in Santa Barbara (EST. TIME: 30 MIN.). The motion carried by the following vote.

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

Approval of Administrative Agenda

HEARING TIME: 9:03 A.M. - 9:20 A.M. (17 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, to Approve the Administrative Agenda. The motion carried by the following vote.

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

Board Member Reports

HEARING TIME: 9:21 A.M. - 9:37 A.M. (17 MIN.)

RE: Attended Northern Santa Barbara County Special Olympics Area Games at St. Joseph High School in Orcutt and played in the 4th Annual Good Samaritan Celebrity Softball Game which benefits the KCOY 2011 Spring Food Drive - Fifth District Supervisor Steve Lavagnino Addressed the Board.

RE: Toured the Artisan Court, YMCA & Housing Authority Foster Youth Housing Project, attended Eighth Annual "Looking Good Santa Barbara" Eastside cleanup event, New Beginnings Counseling Center event, Santa Barbara Wildlife Care Network luncheon and participated in a pre-Earth Day press conference at Harding School speaking to concerned parents and citizens regarding integrated pest management control and alternative uses to pesticides - First District Supervisor Salud Carbajal Addressed the Board.

RE: Shared Shabbat dinner at Hillel in Isla Vista, attended Earth Day festivities in Isla Vista, Trout Derby Weekend at Lake Cachuma and will attend the Community Action Commission Champions Dinner on April 14th in Solvang, announced that Friday, April 15, 2011 is the kick off day for kayak and canoe use at Lake Cachuma and reported that the April issue of Sunset Magazine showcases several Goleta area attractions - Third District Supervisor Doreen Farr Addressed the Board.

RE: Gratitude and appreciation to the community and the Board of Supervisors for support and condolences upon the death of her father - Second District Supervisor Janet Wolf Addressed the Board.

RE: Reported agreement has been reached between CALTRANS, Santa Barbara County and the Old Town Orcutt Veterans' Memorial Flagpole project.

Recognized Lee Herrington for his volunteer efforts and contributions to the Santa Barbara Public Health Department - Fourth District Supervisor Joni Gray Addressed the Board.

Public Comment Period

HEARING TIME: 9:38 A.M. - 9:41 A.M. (4 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) (11-00001)

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

RE: PG&E announced it is seeking a delay to the pending license renewal process for Diablo Canyon Nuclear Power Plant in Avila Beach until completion of an advanced 3-D seismic study may be completed - Patricia Wilmore of P, G & E Addressed the Board.

RE: United Nations Management Systems/World Bank - Gary Richard Arnold Addressed the Board.

RE: Brief report on Santa Barbara County 2011 Health Status Report available Friday, April 15, 2011 on the County website - Dr. Takashi Wada, Director, Public Health Department

Departmental Agenda
Planning Items and Public Hearings

1) **PLANNING AND DEVELOPMENT** **11-00227**

HEARING - Consider recommendations regarding the Evans Appeal of the Planning Commission's approval of 98-DP-023 (06APL-00000-00039); APNs. 107-560-001 through 107-560-033 located east of Hummel Drive and south of Foster Road in the existing development of Northpoint Village, Fourth District, as follows:

- a) Make the required findings for the project, including CEQA findings;
- b) Adopt the Addendum for the previously certified Environmental Impact Report 78-EIR-9 and Supplemental Document 92-SD-2 and adopt the mitigation monitoring program contained in the conditions of approval;
- c) Uphold the appeal and approve the project with the recommended changes to Condition 13; and
- d) Grant de novo approval of Case No. 98-DP-023 subject to conditions in the Project Conditions.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 5/10/11

HEARING TIME: 9: 41 A.M. - 9:42 A.M. (1 MIN.)

A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Continued, as follows: May 10, 2011 in Santa Maria. The motion carried by the following vote.

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

2) PLANNING AND DEVELOPMENT11-00015

HEARING - Consider recommendations regarding an Ordinance Amending Chapter 25, Petroleum Code, as follows:

- a) Receive and file a staff report regarding outreach to stakeholders regarding potential amendments to the Petroleum Code as it relates to the ongoing regulation of High Risk Operations; and
- b) Direct staff to return to the Board of Supervisors on July 12, 2011 with a draft Ordinance Amendment, as outlined, to:
 - i) Amend the High Risk Operation Definition (a);
 - ii) Amend the High Risk Operation Definition (b);
 - iii) Amend the Remediation Requirements for High Risk Operations; and
 - iv) Make other minor amendments as necessary to effectively enforce the Petroleum Code.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 5/10/11

HEARING TIME: 9: 41 A.M. - 9:42 A.M. (1 MIN.)

A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Continued, as follows: May 10, 2011 in Santa Maria. The motion carried by the following vote.

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

3) PUBLIC WORKS11-00284

HEARING - Consider recommendations regarding a closure report on the Agricultural Worker Transportation Program, Third, Fourth and Fifth Districts, as follows: (4/5 Vote Required) (EST. TIME: 20 MIN.)

- a) Receive and file the closure report from the Public Works Department regarding the County's Agricultural Worker Transportation Program (AWTP);
- b) Authorize the County Purchasing Manager to procure thirty-five (35) GMC fifteen (15) -passenger vans from Kings County to transfer to Cal Vans for a total amount of \$998,494.00 at the request of Caltrans;
- c) Upon approval of Recommendation b), approve Budget Revision No. 0001358 for the purchase of thirty-five (35) GMC fifteen (15)-passenger vans; and
- d) Authorize the transfer of thirty-five new vans, sixteen existing vans, office furniture, and a copier under County ownership to Kings County by June 30, 2011 for use by Cal Vans, a statewide vanpool agency at the request of Caltrans.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 9:50 A.M. - 10:18 A.M. A.M. (28 MIN.)

Conducted public hearing.

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

The motion carried by the following vote.

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

Noes: 1 - Supervisor Lavagnino

4) PUBLIC WORKS11-00221

HEARING - Consider recommendations regarding the Measure A Program of Projects for Fiscal Year 2011/2012, and Statewide Local Streets and Roads Needs Assessment 2010 Report, as follows: (EST. TIME: 40 MIN.)

- a) Adopt a Resolution for the Measure A Five-Year Local Program of Projects for Fiscal Years 2011/2012 through 2016/2017, for submittal to the Santa Barbara County Local Transportation Authority for acceptance;
- b) Reaffirm Resolution 10-101, which established priorities and policies for the use of the local portion of the one-half cent sales tax for the transportation needs in Santa Barbara County;
- c) Approve the filing of a Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines section 15301 (c), pertaining to maintenance and operation of existing facilities for the above;
- d) Consider recommendations for the distribution of Measure A revenues within Supervisorial Districts of the North County and South Coast;
- e) Direct staff to prepare the Fiscal Year 2011/2012 Road Maintenance Annual Plan (RdMAP) based upon approved Measure A distribution formula;
- f) Adopt a Resolution supporting the findings of the 2010 California Statewide Local Streets and Roads Needs Assessment, and urging the Legislature and Governor to reject any future cuts that are to vital transportation funding; and
- g) Approve and authorize the Chair to execute letters to the Governor and local state Legislators expressing opposition to future cuts to vital transportation funding.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:21 A.M. - 10:45 A.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) Adopted;

RESOLUTION NO. 11-175

b) Reaffirmed;

c) and d) Approved;

e) Directed;

f) Adopted; and

RESOLUTION NO. 11-176

g) Approved; Chair to execute.

The motion carried by the following vote.

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

5) GENERAL SERVICES11-00208

HEARING - Consider recommendations regarding an Ordinance Amending the County's Cable Television Franchise and License Ordinances to implement the Digital Infrastructure and Video Competition Act of 2006, as follows: (EST. TIME: 20 MIN.)

a) Consider the introduction (first reading) of an Ordinance deleting specific sections of Chapter 2 of the Santa Barbara County Code that deal with Cable Television Franchises and amending Chapter 43, by adding new sections that implement the Digital Infrastructure and Video Competition Act (DIVCA) of 2006;

b) Set hearing on the Administrative Agenda of April 19, 2011 to:

i) Consider the adoption (second reading) of an Ordinance deleting specific sections of Chapter 2 of the County Municipal Code that deal with Cable Television Franchise and amending Chapter 43, by adding new sections that implement the Digital Infrastructure and Video Competition Act (DIVCA) of 2006;

ii) Find that the proposed Ordinance is exempt from the California Environmental Quality Act (CEQA) by approving a Notice of Exemption; and

c) Discuss whether or not the Board may want staff to draft a comment letter to the Public Utilities Commission (PUC) on Comcast's application for a state franchise regarding the sufficiency of that application, and specifically, Comcast's proposed service area.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:55 A.M. - 11: 14 A.M. (19 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Read title, waived reading of the Ordinance in it's entirety. Introduction approved; adoption (second reading) of the Ordinance set for April 19, 2011;
- b) i) Set hearing for adoption (second reading) for April 19, 2011 in Santa Barbara on the Administrative Agenda;
- ii) Continued to April 19, 2011 in Santa Barbara on on the Administrative Agenda; and
- c) Directed staff to prepare a letter for the Chair's signature to the Public Utilities Commission expressing in the strongest terms appropriate, the desire of the County that Comcast expand service to the communities of Los Alamos and Cuyama. The letter should include but not be limited to issues related to the specific socio-economic framework and underserved nature of these communities.

The motion carried by the following vote.

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

6) FIRE, BOARD OF DIRECTORS, SANTA BARBARA COUNTY FIRE PROTECTION DISTRICT 11-00244

HEARING - Acting as the Board of Directors, Santa Barbara County Fire Protection District:

Consider recommendations regarding the initiation of an annexation of territory into the Santa Barbara County Fire Protection District, as follows: (EST. TIME 30 MIN.)

- a) Adopt a Resolution of Application initiating an annexation of territory into the Santa Barbara County Fire Protection District;
- b) Authorize the Fire Chief of the Santa Barbara County Fire Protection District to submit an annexation proposal to the Santa Barbara Local Agency Formation Commission; and
- c) Determine the annexation is categorically exempt from the California Environmental Quality Act (CEQA), per Section 15378(b)(4),(5) of the CEQA Guidelines.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:15 A.M. - 11:29 A.M. (14 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Adopted;

RESOLUTION NO. 11-177

b) Authorized; and

c) Approved.

The motion carried by the following vote.

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

7) COUNTY EXECUTIVE OFFICE[11-00266](#)

HEARING - Consider recommendations regarding an Ordinance amending Chapter 32, Article IV of the County Code as follows: (EST. TIME: 20 MIN.)

a) Consider the introduction (first reading) of an Ordinance amending Chapter 32, Article IV of the County Code to establish and implement a \$50.00 per parcel, non-refundable processing fee for Assessment Appeals applications on parcels, or appraisal units, with an assessed value of less than \$30,000,000.00, and establish a \$1,000.00 per parcel non-refundable processing fee for Assessment Appeals applications on parcels, or appraisal units, with an assessed value greater than \$30,000,000.00; and

b) Set hearing on the Administrative Agenda of April 19, 2011 to consider the adoption (second reading) of the Ordinance.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:30 A.M. - 11:41 A.M. (11 MIN.)

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

a) Continued first reading of the Ordinance to April 19, 2011. Directed staff to amend the recommended non-refundable fee for processing Applications for Changed Assessment for parcels, or appraisal units, with an assessed value of less than \$30,000,000 to \$75.00 from \$50.00.

b) Set hearing on the Administrative Agenda of May 3, 2011 to consider the adoption (second reading) of the Ordinance.

Directed staff to return on April 19, 2011 with information related to the success rate of Assessment Appeals as well as information regarding the process for negotiation and resolution of taxpayer concerns outside of the Assessment Appeal Process.

The motion carried by the following vote:

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

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

HEARING - Consider recommendations regarding a 2011 Redistricting Update, as follows:
(EST. TIME: 40 MIN.)

- a) Receive and file a staff report and provide guidance on 2011 census data for Santa Barbara County, a revised redistricting budget, and the Public Participation and Outreach Plan; and
- b) Direct staff on the development of proposed redistricting maps for public comment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:42 A.M. - 12:15 P.M. (33 MIN.)

Conducted public hearing.

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. Approved amended redistricting budget and Public Participation and Outreach Plan as follows: Adopted the revised Redistricting plan budget with the understanding that some flexibility may be necessary, that all public outreach meetings include the availability of Spanish language translation, that the GIS capabilities be expanded to a North County location, that the County make GIS capabilities available to the public through the outreach process or by appointment as appropriate.**
- b) That the initial creation of draft redistricting maps be a bottom up process and not County initiated.**

Further directed staff to return to the Board on April 19, 2011 on the administrative agenda with the revised Public Participation and Outreach Plan, budget and associated amended timeline.

The motion carried by the following vote:

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

9) COUNTY EXECUTIVE OFFICE[11-00270](#)

HEARING - Consider recommendations regarding the establishment of a Community Services Department, as follows: (EST. TIME: 30 MIN.)

- a) Approve the elimination of the Parks Department and the Housing and Community Development Department;
- b) Approve the creation of a new Community Services Department, which contains the following departments: Parks, Housing and Community Development, Animal Services, the Library Advisory Committee, the Human Services Commission, and the Arts Commission;
- c) Approve the transfer of Animal Services from Public Health to the Community Services Department; and
- d) Authorize the launch of an executive search for a Community Services Department Director.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 1:45 P.M. - 2:25 P.M. (40 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) Approved.

b) Directed the County Executive Officer to proceed with the proposed consolidation and to initiate a recruitment for a Community Services Director. Further directed the County Executive Officer to return to the Board with a plan of execution as appropriate.

c) Directed that Animal Services remain a Division of the Public Health Department at this time and that staff continue to look at potential consolidation options that may be appropriate at a future date.

d) Authorized.

The motion carried by the following vote.

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

10) HUMAN RESOURCES

11-00240

HEARING - Direct staff to initiate efforts to implement recommendations of the Advisory Commission on Retirement Program Alternatives. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 2:35 P.M. - 3:20 P.M. (45 MIN.)

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

Received and filed staff presentation and concluded public hearing.

Directed the County Executive Officer to negotiate in good faith with the County Bargaining Units per the report by the Advisory Commission on Retirement Program Alternatives and including any additional recommendations that may come forward in the future.

The motion carried by the following vote.

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

11) PLANNING AND DEVELOPMENT[11-00287](#)

HEARING - Consider recommendations regarding a request to initiate Land Use and Development Code (LUDC) Amendments for Utility-Scale Solar Projects, as follows: (EST. TIME: 30 MIN.)

a) Adopt a Resolution initiating amendments to the Santa Barbara County Land Use and Development Code to allow development of large, utility-scale, solar photovoltaic electrical generation projects, exceeding 5 megawatts generation capacity, on agricultural properties zoned AG-II in the Inland Area of the County, subject to a Conditional Use Permit; and

b) Adopt a Resolution initiating amendments to the Santa Barbara County Land Use and Development Code to allow development of small, utility-scale, solar photovoltaic electrical generation projects, up to 5 megawatts generation capacity, on agricultural properties zoned AG-II in the Inland Area of the County, subject to a Conditional Use Permit.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 3:27 P.M. - 4:00 P.M. (33 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Adopted.

RESOLUTION NO. 11-178

b) Adopted.

RESOLUTION NO. 11-179

The motion carried by the following vote.

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

Adjourned at 4:01 PM

**The Board of Supervisors Adjourned the Meeting of April 12, 2011 in Memory of
Robert Phillips of Santa Barbara.**

Adjourned to

April 19, 2011

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

Announcements

The meeting of Tuesday, April 12, 2011 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, April 14, 2011, at 5:00 PM and on Saturday, April 16, 2011, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>