

BOARD OF SUPERVISORS

County of Santa Barbara



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

AGENDA

Tuesday, February 24, 2009

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

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

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

Persons may address the Board of Supervisors in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Betteravia Government Center, Board Hearing Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.

Board Meeting Procedures

The Board of Supervisors is the legislative body for the County of Santa Barbara. Persons are encouraged to attend and testify before the Board on any matter appearing on the agenda. Correspondence to the Board regarding items appearing on the agenda should be directed to the Clerk of the Board, 105 East Anapamu Street, Room 407, Santa Barbara CA 93101. For information regarding the meetings of the Board of Supervisors including specific meeting times contact the Clerk of the Board at (805) 568-2240. Procedures for the conduct of the meetings of the Board of Supervisors can be found in Board Resolutions 03-282 (General) and 91-333 (Land Use).

The schedule of the Board of Supervisors, meeting agendas, supplemental hearing materials and minutes of the Board meetings are available on the Internet at: www.countyofsb.org

Board Meetings are televised live on County of Santa Barbara TV channel 20. For information about obtaining a videotape of a public hearing or a schedule of CSBTV broadcasts please call (805) 568-3427.

Late Distribution

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to all or a majority of the members of the Board of Supervisors less than 72 hours prior to that meeting are available for inspection in the Clerk of the Board Office, 105 East Anapamu Street, Room 407, Santa Barbara, CA, at the Office of the Board of Supervisors, Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, CA and on the Internet at: <http://bos-agenda.sbcgov.net/calendar/#current>.

Disability Access

The Board of Supervisors Hearing Room in Santa Barbara is located on the Fourth Floor of the County Administration Building, 105 East Anapamu Street. The Hearing Room is wheelchair accessible. Accessible public parking is available behind the County Administration Building and in City Parking Lot #6 located at the corner of Anacapa Street and Anapamu Street.

The Board of Supervisors Hearing Room in Santa Maria is located at the Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria. The Hearing Room is wheelchair accessible. Accessible public parking is available at the Betteravia Government Center.

American Sign Language interpreters, Spanish language interpretation and sound enhancement equipment may be arranged by contacting the Clerk of the Board of Supervisors by 4:00 p.m. on Friday before the Board meeting. For information about these services please contact the Clerk of the Board at (805) 568-2240.

Closed Session

The Board of Supervisors conducts a Closed Session every Tuesday between 8:00 A.M. and 9:00 A.M. and between 1:00 P.M. and 2:00 P.M. as necessary. Closed Sessions are not open to the public. Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Actions taken by the Board during Closed Session will be announced during open session (Gov. Code Sections 54957.1(a) & (b), Ralph M. Brown Act). The Closed Session agenda is posted as an addendum to the Board's agenda each Friday in the Office of the Clerk of the Board. For information related to Closed Session announcements please contact County Counsel at (805) 568-2950.

7:50 A.M. Convene and Recess to Closed Session

9:00 A.M. Reconvene to Regular Session

Roll Call

Pledge of Allegiance

Report from Closed Session

COUNTY COUNSEL

[File Reference No. 09-00173](#)

Closed Session Agenda

Approval of Minutes of the February 17, 2009 Meeting

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 GRAY

[File Reference No. 09-00159](#)

Adopt a Resolution of Commendation recognizing Jeff Johnson of Jack's All-American Plumbing in Santa Maria for winning First-Runner Up in Plumbing & Mechanical Magazine's Best Looking Truck Inside Contest for 2008.

Administrative Items

A-2) COUNTY COUNSEL

[File Reference No. 09-00156](#)

Approve the proposed amendments to the Conflicts of Interest Code of the Santa Barbara County Air Pollution Control District.

A-3) COUNTY COUNSEL

[File Reference No. 09-00157](#)

Approve the proposed amendments to the Conflicts of Interest Code of the Mosquito and Vector Management District of Santa Barbara County.

A-4) COUNTY COUNSEL

[File Reference No. 09-00158](#)

Approve the proposed amendments to the Conflicts of Interest Code of the Santa Barbara Metropolitan Transit District.

- A-5) COUNTY COUNSEL [File Reference No. 09-00164](#)
Consider recommendations regarding 2009 Amendments to the Santa Barbara County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts (Single Code), as follows:
- a) Adopt by Resolution the 2009 Amendments to the Santa Barbara County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts. The 2009 Amendments:
- i) Update the positions that are required to report and/or the disclosure categories for the public officials associated with the various County Agencies that are currently included in the Single Code, and renumber the exhibit references for the Board of Architectural Review; and
- ii) Add the South Coast Homeless Advisory Committee to the Single Code.
- A-6) COUNTY COUNSEL [File Reference No. 09-00165](#)
Approve the proposed amendments to the Conflicts of Interest Code of the Solvang Elementary School District.
- A-7) COUNTY EXECUTIVE OFFICE [File Reference No. 09-00169](#)
Approve an Application for Destruction of Records of the proceedings of the Board of Supervisors for the period of January 1, 1999 through December 31, 1999. Said records have been placed on optical disk and microfilm for permanent retention in the Clerk of the Board Office.
- A-8) PUBLIC HEALTH [File Reference No. 09-00136](#)
Receive and file the Summaries of Evaluations for 2008 Annual Health Inspections of Detention Facilities by the County Health Officer, regarding compliance with environmental, nutritional, and medical/mental health standards for detention facilities within Santa Barbara County.
- Legislative History
2/17/09 BOARD OF SUPERVISORS Continued, as follows:
February 24, 2009 in Santa Maria.
- A-9) PUBLIC WORKS [File Reference No. 09-00160](#)
Consider recommendations regarding Tepusquet Road Bridge, County Project No. 862248, Federal Project No. BRLKS-5951(098), Fifth District, as follows:
- a) Approve plans and specifications for Tepusquet Road Bridge, located approximately three miles east of the town of Sisquoc, California;
- b) Award the construction contract in the amount of \$4,220,602.00 to the lowest responsible bidder, Shasta Constructors, Inc. (not a local vendor), P.O. Box 491539, Redding, CA 96049-1539 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 documents, and the review and approval of the County Counsel, Auditor-Controller and Risk Manager or their authorized representatives; and

d) Approve a contingency fund in the amount of \$223,530.10 for Tepusquet Road Bridge.

A-10) PUBLIC WORKS [File Reference No. 09-00161](#)

Approve and authorize the Chair to execute an Agreement with the Santa Barbara County Association of Governments (SBCAG), for the Reallocation of Regional Surface Transportation Program Funds, in the amount of \$500,000 for the Tepusquet Road Bridge, County Project No. 862248, Fifth District.

A-11) PUBLIC WORKS [File Reference No. 09-00140](#)

Consider recommendations regarding Stop Controls on Various Streets, Fourth District, as follows:

a) Adopt thirteen Resolutions establishing Stop Controls on North Pacific Street at its intersection with Park Avenue, North First Street at its intersection with Park Avenue, Union Avenue at its intersection with Twitchell Street, Union Avenue at its intersection with Garrett Street, South Gray Street at its intersection with Pinal Avenue, South Pacific Street at its intersection with Pinal Avenue, South First Street at its intersection with Pinal Avenue, Garrett Street at its intersection with Pinal Avenue, Norris Street at its intersection with Pinal Avenue, Twitchell Street at its intersection with Pinal Avenue, South Pacific Street at its intersection with Soares Avenue, South Gray Street at its intersection with Soares Avenue, Soares Avenue at its intersection with Dyer Street (all in the Old Town Orcutt area); and

b) Approve a Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the establishment of various stop controls in the Orcutt Area.

Legislative History

2/17/09 BOARD OF SUPERVISORS Continued, as follows:
February 24, 2009 in Santa Maria.

A-12) SHERIFF [File Reference No. 09-00162](#)

Consider recommendations regarding acceptance of grant funding for FY 2008-09 for continued funding of the Sexual Assault Felony Enforcement Team Task Force (SAFE), as follows: (4/5 Vote Required)

a) Accept a grant of \$119,958 from the Governor's Office of Emergency Services (OES) to continue the operation of a Sexual Assault Felony Enforcement Team (SAFE); and

b) Approve the Budget Revision No. 2007594 recognizing the grant revenue and appropriating expenditures within the Santa Barbara Sheriff's Department.

Board of Supervisors

A-13) SUPERVISOR WOLF [File Reference No. 09-00167](#)

Approve the appointment of Ray Ford to the Riding and Hiking Trails Committee, term ending October 10, 2010, Second District.

A-14) SUPERVISOR CENTENO [File Reference No. 09-00171](#)

Approve the appointment of Geraldine Obrikat to the Santa Maria Cemetery District Board of Trustees, term ending December 31, 2009, Fifth District.

Hearing Requests

A-15) COUNTY EXECUTIVE OFFICE

[File Reference No. 09-00166](#)

Set hearing to consider the Five Year Capital Improvement Program, Fiscal Years 2009-2014, as follows:

- a) Receive the Five Year Capital Improvement Program (CIP);
- b) Refer the CIP to the Planning Commission and request analysis of projects recommended for planning, initiation, or construction during Fiscal Year 2009-2010 for conformity with the County Comprehensive Plan; and
- c) Review and approve in concept the projects included in the CIP and the Proposed Capital Budget for Fiscal Year 2009-2010.

A-16) PLANNING AND DEVELOPMENT

[File Reference No. 09-00163](#)

Set hearing to consider recommendations regarding Coastal Resource Enhancement Fund (CREF) Recommended 2009 Awards, as follows:

- a) Approve grant awards from the Coastal Resource Enhancement Fund in conjunction with the County's Capital Improvement Plan (CIP) and proposed FY 09-10 budget, based on the staff recommendations provided, and conditions outlined; and
- b) Direct staff to commence the 2010-2012 three-year CREF cycle on July 1, 2009.

A-17) TREASURER-TAX COLLECTOR

[File Reference No. 09-00172](#)

Set hearing to consider recommendations regarding the California Municipal Finance Authority financing of tax-exempt private activity bonds on behalf of Westmont College, as follows:

- a) Approve and authorize the Chair to execute a Joint Exercise of Powers Agreement relating to the California Municipal Finance Authority; and
- b) Approve the issuance of tax-exempt revenue bonds by the California Municipal Finance Authority for the purpose of financing or refinancing the acquisition, construction, and improvement of certain facilities for Westmont College, in a principal amount not to exceed \$122,500,000.

Approval of Administrative Agenda**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.

Departmental Agenda
Planning Items and Public Hearings

Department requests the continuance of Departmental Item No. 1) to March 10, 2009

Acting as the Board of Directors, In-Home Supportive Services Public Authority

- 1) SOCIAL SERVICES and BOARD OF DIRECTORS, [File Reference No. 09-00119](#)
IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

HEARING - Receive and file a report of activities performed by the In-Home Supportive Services (IHSS) Public Authority between July 1, 2008 and December 31, 2008, and provide direction to staff as appropriate. (EST. TIME: 10 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 3/10/09

Legislative History

2/10/09 BOARD OF SUPERVISORS Set for a hearing, as follows:
February 24, 2009 in Santa Maria (EST. TIME: 10 MIN.)

- 2) PLANNING AND DEVELOPMENT [File Reference No. 09-00123](#)

HEARING - Further consider the 2003-2008 General Plan Housing Element Focused Rezone Program, including amendments to the 2003-2008 Housing Element, the Orcutt Community Plan, and the Land Use Development Code to rezone portions of two sites in the Orcutt Community Plan area to the Multi-Family Residential Orcutt (MR-O) zone designation for the purpose of providing 370 units of residential capacity in the County General Plan. To accomplish this, the Board should select and rezone either Orcutt Key Sites 3 and 16 or Orcutt Key Sites 3 and 30. Consider recommendations as follows: (EST. TIME: 1 HR. 30 MIN.)

To select and rezone Orcutt Key Sites 3 and 16, staff recommends that the Board of Supervisors:

a) Take action to clarify the Board's action of December 16, 2008 concerning the certification of the Environmental Impact Report to address the requirements of §15090(a)1-3. Certify Attachment A, the 2003-2008 Housing Element Focused Rezone Program Environmental Impact Report (08-EIR-00000-00005; SCH#2008061139), including EIR Revision Letters dated October 15, 2008 and November 12, 2008;

b) Adopt the following: (Attachment D):

i) The Focused Rezone Program EIR Mitigation Monitoring and Reporting Program (Attachment D-3, Exhibit 3) and related CEQA Findings and Statement of Overriding Considerations, contained in Attachment D-1;

ii) Attachment D-2, a resolution approving specific amendments to the General Plan Housing Element by inserting a revised Policy 1.10: Action 1 Rezone Program and a new subsection entitled Appendix E2 that describes the revised Focused Rezone Program;

iii) Attachment D-3, a resolution approving specific amendments to the Orcutt Community Plan by changing land use designations from Residential Ranchette Minimum Parcel Size 10 acres to Residential 20 on a portion of APN 129-151-026 and from General Commercial to Residential 20 on a portion of APN 105-330-001 and APN 105-330-002; by revising development standards for two sites

identified in the Orcutt Community Plan as Key Site 3 and Key Site 16; and, by adding Appendix F, the Mitigation Monitoring and Reporting Program; and

iv) Attachment D-4, an ordinance amending the Santa Barbara County Land Use & Development Code by inserting the new Multi-Family Residential-Orcutt zone district and by amending the Santa Barbara County Zoning Map by rezoning a portion of APN 129-151-026, APN 105-330-001, and APN 105-330-002 to apply the new Multi-Family Residential-Orcutt zone;

To select and rezone Orcutt Key Sites 3 and 30, staff recommends that the Board of Supervisors:

c) Take action to clarify the Board's action of December 16, 2008 concerning the certification of the Environmental Impact Report to address the requirements of §15090(a)1-3. Certify Attachment A, the 2003-2008 Housing Element Focused Rezone Program Environmental Impact Report (08-EIR-00000-00005; SCH#2008061139), including EIR Revision Letters dated October 15, 2008 (Attachment A-1) and November 12, 2008 (Attachment A-3);

d) Adopt the following (Attachment E):

i) The Focused Rezone Program EIR Mitigation Monitoring and Reporting Program (Attachment E-3, Exhibit 3) and related CEQA Findings and Statement of Overriding Considerations, contained in Attachment E-1;

ii) Attachment E-2, a resolution approving specific amendments to the General Plan Housing Element by inserting a revised Policy 1.10: Action 1 Rezone Program and a new subsection entitled Appendix E2 that describes the revised Focused Rezone Program;

iii) Attachment E-3, a resolution approving specific amendments to the Orcutt Community Plan by changing land use designations from Residential Ranchette Minimum Parcel Size 10 acres to Residential 20 on a portion of APN 129-151-026 and from Agriculture 1 minimum Parcel Size 40 Acres to Residential 20 on a portion of APN 107-250-008; by revising development standards for two sites identified in the Orcutt Community Plan as Key Site 3 and Key Site 30; and, by adding Appendix F, the Mitigation Monitoring and Reporting Program; and

iv) Attachment E-4, an ordinance amending the Santa Barbara County Land Use & Development Code by inserting the new Multi-Family Residential-Orcutt zone district and by amending the Santa Barbara County Zoning Map by rezoning a portion of APN 129-151-026 and APN 107-250-008 to apply the new Multi-Family Residential-Orcutt zone.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

2/3/09 BOARD OF SUPERVISORS

Set for a hearing, as follows:
February 24, 2009 in Santa Maria (EST. TIME: 90 MIN.)

3) GENERAL SERVICES and SHERIFF[File Reference No. 09-00121](#)

HEARING - Consider recommendations regarding Sheriff Tech Services/EOC Feasibility Study, as follows: (EST. TIME: 15 MIN.)

- a) Reject the proposal of siting the Emergency Operations Center (EOC) in the basement of the Main Jail/Sheriff's Headquarters Expansion project;
- b) Transfer \$326,298 from the EOC project budget to the Main Jail/Sheriff's Headquarters Expansion project as these funds were originally transferred to the EOC project from the Sheriff Department; and
- c) Authorize the Sheriff to develop and bring forward the standalone Main Jail/Sheriff's Headquarters Expansion project at a cost of not to exceed \$4,942,710 (except for additional interest accumulation on the COP funds).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

2/10/09 BOARD OF SUPERVISORS Set for a hearing, as follows:
February 24, 2009 in Santa Maria (EST. TIME: 15 MIN.)

4) PARKS[File Reference No. 09-00120](#)

HEARING - Consider recommendations regarding Board approval of changes to the current Quagga Mussel Program protocols at Cachuma Lake and for consideration of fee adjustments for the program, as follows: (EST. TIME: 30 MIN.)

- a) Approve changes to the current Quagga Mussel Program boat inspection, tagging, and washing protocols and operational practices at Cachuma Lake County Park, to eliminate boat washing from the protocols;
- b) Adopt a Resolution adjusting fees at Cachuma Lake County Park, increasing the daily boat launch fee from \$8 to \$13, the annual boat launch fee from \$65 to \$120, and the annual senior boat launch fee from \$55 to \$100, and approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines; and
- c) Approve the County of Santa Barbara Water Agency's ongoing annual contribution of up to \$60,000 for the Quagga Mussel Program, which is allowable under the Water Agency's mission to preserve the water supply.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

2/10/09 BOARD OF SUPERVISORS Set for a hearing, as follows:
February 24, 2009 in Santa Maria (EST. TIME: 30 MIN.)

5) COUNTY EXECUTIVE OFFICE[File Reference No. 09-00059](#)

HEARING - Consider recommendations regarding the Fiscal Year 2009-2010 Budget Development Workshop: Part 4 - Potential Service Level Impacts, as follows: (EST. TIME: 4 HRS.)

a) Hold the fourth part of a four-part 2009-2010 budget development workshop and receive the Fiscal Year 2009-2010 Budget Development - Potential Service Level Impacts Report; and

b) Direct staff to proceed with the budget development process in accordance with the Board's adopted budget principles for Fiscal Year 2009-2010.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

1/27/09 BOARD OF SUPERVISORS

Set for a hearing, as follows:
February 3, 2009 in Santa Barbara (EST. TIME: 90 MIN.)

2/3/09 BOARD OF SUPERVISORS

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

Accepted.

2/10/09 BOARD OF SUPERVISORS

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

a) Received and filed.

b) Directed staff to proceed in collaboration with the Santa Barbara County Employee Retirement System. Further directed staff to facilitate a presentation to the Board of Supervisors from SBCERS as soon as practical, and to focus on areas of mutual concern with respect to the Retirement System, including principals of investment policies and strategies for managing the costs associated with retirement benefits.

2/17/09 BOARD OF SUPERVISORS

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

a) and b) Received and filed.

Adjourn to

March 3, 2009

County Administration Building

Board Hearing Room

105 East Anapamu Street , Fourth Floor

Santa Barbara

IF YOU CHALLENGE A DETERMINATION MADE ON A MATTER ON THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE BOARD OF SUPERVISORS AT, OR PRIOR TO, THE PUBLIC HEARING.

Announcements

The meeting of Tuesday, February 24, 2009 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 26, 2009, at 5:00 PM and on Saturday, February 28, 2009, at 10:00 AM on CSBTv Channel 20.

<http://www.countyofsb.org>