

# **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 10, 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](http://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](http://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. 09-00105](#)

Closed Session Agenda

**Approval of Minutes of the February 3, 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. 09-00116](#)

Adopt a Resolution proclaiming February 2009 as Black History Month in Santa Barbara County.

**Administrative Items**

A-2) AUDITOR-CONTROLLER

[File Reference No. 09-00117](#)

Receive and file the Auditor-Controller's Report on the Statement of Assets of the Santa Barbara County Treasurer, as of December 31, 2008.

A-3) GENERAL SERVICES

[File Reference No. 09-00053](#)

Consider recommendations regarding the Santa Ynez Valley Airport Building Addition Award of Construction Contract, Santa Ynez, California, Third District, as follows:

a) Approve and authorize the Chair to execute a Fixed Price Construction Contract in the amount of \$537,238.00 to the lowest responsible bidder, TASCOC Construction, Inc. of Camarillo, California (not a local vendor), subject to the provisions of the documents and certifications as set forth in the plans and specifications applicable to the project and as required by California Law, for the period of February 2009 through August 2009; and

b) Authorize the Director of General Services to approve change orders of an amount not to exceed 10% of a base amount of \$250,000 plus 5% of the bid in excess of the base amount, or \$39,362.00 for this contract.

Legislative History

1/27/09 BOARD OF SUPERVISORS Withdrawn from the agenda

A-4) COUNTY EXECUTIVE OFFICE and COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 09-00124](#)

Establish a rate of \$160.00 per hour for Hearing Officers retained by the Civil Service Commission.

A-5) PARKS [File Reference No. 09-00107](#)

Consider recommendations regarding a Grant Deed for Orcutt Community Park at Rice Ranch and a Grant of Dog Park Easement at Rice Ranch, Orcutt Area, Fourth District; as follows: (4/5 Vote Required)

a) Accept the Grant Deed for the Orcutt Community Park from Rice Ranch Ventures, LLC, and instruct the Clerk of the Board to endorse thereon the Board's acceptance; and

b) Accept the Grant of Dog Park Easement from Rice Ranch Ventures, LLC, and instruct the Clerk of the Board to endorse thereon the Board's acceptance.

Legislative History

2/3/09 BOARD OF SUPERVISORS Withdrawn from the agenda

A-6) PROBATION [File Reference No. 09-00114](#)

Consider recommendations regarding FY 2008-09 Safe Schools/Healthy Students Initiative Award, as follows: (4/5 Vote Required)

a) Approve and authorize the Chief Probation Officer, Patricia J. Stewart, to execute an agreement with Santa Maria Joint Union High School District (SMJUHSD) to accept \$100,000 from the Safe Schools/Healthy Students Initiative to provide a school-based Deputy Probation Officer in FY 2008-09;

b) Authorize the Chief Probation Officer, Patricia J. Stewart, to execute future agreements with SMJUHSD to accept funding from the Safe Schools/Healthy Students Initiative to provide a school-based Deputy Probation Officer provided that the funding does not change more than 10%; and

c) Adopt a budget revision recognizing the unanticipated revenue.

A-7) SHERIFF [File Reference No. 09-00118](#)

Approve and authorize the Purchasing Agent to procure specialized computer equipment from Key Information Systems, Inc. for the Sheriff's Department without being required to conduct a formal bid process for the period ending June 30, 2009, in an amount not to exceed \$55,000.

A-8) TREASURER-TAX COLLECTOR [File Reference No. 09-00115](#)

Consider recommendations regarding Treasurer's Investment Pool, Fiscal Year 2008-2009 Second Quarter (October - December 2008), as follows:

- a) Receive and file the F/Y 2008-2009 Second Quarter (October - December, 2008) report on the Treasurer's Investment Pool, pursuant to Government Code section 53646(b); and
- b) Approve the Investment Policy Statement and authorize the County Treasurer to manage the investment pool in accordance with the policy, pursuant to sections 53646(a) and 53607 of the Government Code.

### Hearing Requests

A-9) COUNTY EXECUTIVE OFFICE [File Reference No. 09-00125](#)

Set hearing to receive and file a presentation from the Santa Barbara Conference and Visitors Bureau and Film Commission highlighting the ongoing efforts of the Film Commission.  
(Set Hearing for 2/17/2009. Time estimate 10 minutes.)

A-10) GENERAL SERVICES and SHERIFF [File Reference No. 09-00121](#)

Set hearing to consider recommendations regarding Sheriff Tech Services/EOC Feasibility Study, as follows:

- 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's Department; and
- c) Authorize the Sheriff to develop and bring forward the standalone Main Jail/Sheriff's Headquarters Expansion project.  
(Set Hearing for 2/24/2009. Time estimate 15 minutes.)

A-11) PARKS [File Reference No. 09-00120](#)

Set hearing to consider recommendations regarding approval of changes to the current Quagga Mussel Program protocols at Cachuma Lake and for consideration of fee adjustments for the program, as follows:

- 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.

(Set Hearing for 2/24/2009. Time estimate 30 minutes.)

### **Board of Directors, In-Home Supportive Services Public Authority**

A-12) SOCIAL SERVICES and BOARD OF DIRECTORS,  
IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY

[File Reference No. 09-00119](#)

Set hearing to 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.

(Set Hearing for 2/24/2009. Time estimate 10 minutes.)

### **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 24, 2009**

1) COUNTY EXECUTIVE OFFICE

[File Reference No. 08-00852](#)

HEARING - Consider recommendations regarding the Orcutt Planning Area Development Incentives, Fourth District, as follows:

- a) Consider permit processing and offset AB 1600 incentives for the Evergreen Village Center; and
- b) Provide direction to staff regarding any incentives to be granted, and determine the source of funding as a backfill for any amounts granted.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE to 3/24/09

Legislative History

9/23/08 BOARD OF SUPERVISORS Set for a hearing, as follows:  
October 14, 2008 in Santa Maria (EST. TIME 30 MIN.)

10/14/08 BOARD OF SUPERVISORS Acted on as follows:

Received and filed staff presentation and conducted public hearing.

Directed staff, including but not limited to the CEO, County Counsel and Planning and Development, as well as members of the community to work with a sub-committee consisting of Supervisor Wolf and Supervisor Gray to continue to explore potential incentives and to return to the Board as appropriate.

11/18/08 BOARD OF SUPERVISORS Continued, as follows:  
December 16, 2008 in Santa Maria. (EST. TIME: 15 MIN.)

12/16/08 BOARD OF SUPERVISORS Acted on as follows:  
Received and filed staff presentation and conducted public hearing.

A motion was made Supervisor Gray, seconded by Supervisor Wolf as follows:

a) Approved as amended at the hearing on December 16, 2008 as follows:

Old Town Orcutt be considered as a shopping center (200,000 square feet limit) in the context of the AB 1600 fees.

Motion carried unanimously.

A motion was made Supervisor Carbajal, seconded by Supervisor Wolf as follows:

b) and c) Continued to February 10, 2009 in Santa Maria.

Motion carried unanimously.

- 2) COUNTY EXECUTIVE OFFICE, COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES and AUDITOR-CONTROLLER [File Reference No. 09-00059](#)

HEARING - Consider recommendations regarding the Fiscal Year 2009-2010 Budget Development Workshop: Part 2 - Retirement, as follows: (EST. TIME: 2 HRS. 30 MIN.)

- a) Hold the second part of a four-part 2009-2010 Budget Development Workshop and receive the Fiscal Year 2009-2010 Budget Development - Retirement Report; and
- b) Direct staff to study options for managing costs and risks associated with retirement benefits and return to the Board within sixty (60) days with recommendations on establishing County principles regarding transparency, funding policies, and investment policies to be communicated to Santa Barbara County Employees' Retirement System (SBCERS).

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.

- 3) SUPERVISOR CARBAJAL and SUPERVISOR CENTENO [File Reference No. 09-00066](#)

HEARING - Receive and accept the Santa Barbara County Children's Health Initiative progress report and presentation for FY 07/08. (EST. TIME: 30 MIN.)

Legislative History

- 1/27/09 BOARD OF SUPERVISORS Set for a hearing, as follows:  
February 10, 2009 in Santa Maria (EST. TIME: 30 MIN.)

- 4) COUNTY EXECUTIVE OFFICE and PLANNING AND DEVELOPMENT [File Reference No. 08-01027](#)

HEARING - Consider recommendations regarding the Onshore Oil Inspection Plan, as follows: (EST. TIME: 1 HR.)

- a) Consider a reorganization to place onshore and offshore oil operation oversight in the same division in Planning and Development;
- b) Consider providing additional personnel resources to the onshore oil operation oversight and, if approved;
- c) Provide staff with a direction on the source of revenue to accomplish the operational changes.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

- 11/18/08 BOARD OF SUPERVISORS Set for a hearing, as follows:



January 13, 2009 in Santa Maria (EST. TIME: 45 MIN.)

1/13/09 BOARD OF SUPERVISORS

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

a) and b) Received and filed.

Directed staff to return in four weeks with a review of the policies currently in place, with an evaluation of the thresholds, policies and protocols necessary to take aggressive action to shut down an operator if they are in violation and meet the thresholds outlined by the County.

5) PLANNING AND DEVELOPMENT

[File Reference No. 08-01014](#)

HEARING - Consider recommendations regarding the California Department of Fish and Game Appeal, Case No. 08APL-00000-00035, of County Planning Commission approval of the Lompoc Wind Energy Project, Case No. 06CUP-00000-00009; 08VAR-00000-00003, Third District, as follows: (EST. TIME: 1 HR. 30 MIN.)

a) Deny the CDFG Appeal, Case No. 08APL-00000-00035;

b) Certify that the Lompoc Wind Energy Project Environmental Impact Report (August 2008) (06EIR-00000-00004; SCH #2006071008) reflects the independent judgment of the Board, has been completed in compliance with the California Environmental Quality Act (CEQA), and is adequate for the Lompoc Wind Energy Project;

c) Adopt the required findings for the project, including CEQA findings, attached to the Planning Commission Action Letter dated October 7, 2008, including modifications to findings, and including any modifications made by the Board in the public hearing; and

d) Grant approval of Conditional Use Permit 08CUP-00000-00009 and Variance 08VAR-00000-00003, subject to the conditions of approval specified in the Planning Commission Action Letter and attachments dated October 7, 2008, including modifications to permit conditions, and including any modifications made by the Board in the public hearing.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

11/4/08 BOARD OF SUPERVISORS

Set for a hearing, as follows:  
December 16, 2008 in Santa Maria (EST. TIME: 60 MIN.)

12/16/08 BOARD OF SUPERVISORS

Acted on as follows:  
Received and filed staff presentation and conducted public hearing.

A motion was made Supervisor Firestone, seconded by Supervisor Centeno as follows:

a) through d) Continued to February 10, 2008 in Santa Maria.

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Firestone and Supervisor Centeno

Recused: 1 - Supervisor Gray

6) PLANNING AND DEVELOPMENT[File Reference No. 08-01017](#)

HEARING - Consider recommendations regarding the Bedford Appeal, Case No. 08APL-00000-00034, of County Planning Commission approval of the Lompoc Wind Energy Project, Case No. 06CUP-00000-00009; 08VAR-00000-00003, Third District, as follows: (EST. TIME: 1HR. 30 MIN.)

- a) Deny the Bedford Appeal, Case No. 08APL-00000-00034;
- b) Certify that the Lompoc Wind Energy Project Environmental Impact Report (August 2008) (06EIR-00000-00004; SCH #2006071008) reflects the independent judgment of the Board, has been completed in compliance with the California Environmental Quality Act (CEQA), and is adequate for the Lompoc Wind Energy Project;
- c) Adopt the required findings for the project, including CEQA findings, attached to the Planning Commission Action Letter dated October 7, 2008, including modifications to findings, and including any modifications made by the Board in the public hearing; and
- d) Grant approval of Conditional Use Permit 08CUP-00000-00009 and Variance 08VAR-00000-00003, subject to the conditions of approval specified in the Planning Commission Action Letter and attachments dated October 7, 2008, including modifications to permit conditions, and including any modifications made by the Board in the public hearing.

## COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

- 11/4/08 BOARD OF SUPERVISORS Set for a hearing, as follows:  
December 16, 2008 in Santa Maria (EST. TIME: 60 MIN.)
- 12/16/08 BOARD OF SUPERVISORS Acted on as follows:  
Received and filed staff presentation and conducted public hearing.
- A motion was made Supervisor Firestone, seconded by Supervisor Centeno as follows:
- a) through d) Continued to February 10, 2008 in Santa Maria.
- The motion carried by the following vote:
- Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Firestone and Supervisor Centeno  
Recused: 1 - Supervisor Gray

**Adjourn to**

**February 17, 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 10, 2009 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 12, 2009, at 5:00 PM and on Saturday, February 14, 2009, at 10:00 AM on CSBTV Channel 20.

**<http://www.countyofsb.org>**