

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 3, 2009

**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

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**

- 1) COUNTY COUNSEL [File Reference No. 09-00113](#)
Closed Session Agenda

Approval of Minutes of the January 27, 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 CARBAJAL [File Reference No. 09-00069](#)
Adopt a Resolution of Commendation honoring Jeremy and Josh Pemberton for their dedicated service to our community.
- A-2) SUPERVISOR CARBAJAL [File Reference No. 09-00070](#)
Adopt a Resolution of Commendation recognizing the Flower and Nursery Growing Industry of Santa Barbara for their significant contributions to the economic vitality of Santa Barbara County.
- A-3) SUPERVISOR CARBAJAL and SUPERVISOR WOLF [File Reference No. 09-00036](#)
Adopt a Resolution in celebration of Martin Luther King Day 2009 in Santa Barbara County.
- A-4) SUPERVISOR CARBAJAL and SUPERVISOR WOLF [File Reference No. 09-00101](#)
Adopt a Resolution proclaiming February 2009 as Black History Month in Santa Barbara County.
- A-5) SUPERVISOR WOLF [File Reference No. 09-00048](#)
Adopt a Resolution of Commendation honoring the Santa Barbara County Sheriff's Department Search and Rescue Team for their dedication to supporting life saving search and rescue missions when called upon during emergencies.
- A-6) SUPERVISOR WOLF [File Reference No. 09-00050](#)
Adopt a Resolution of Commendation honoring the Sheriff's Treatment Program with the 2008 Merit Challenge Award in recognition of their exemplary record of professional and civic service.

A-7) SUPERVISOR WOLF [File Reference No. 09-00100](#)
Adopt a Resolution recognizing Hollister Elementary School of the Goleta Unified School District for receiving the California Distinguished School designation.

A-8) SUPERVISOR GRAY [File Reference No. 09-00103](#)
Adopt a Resolution of Commendation honoring Pat Gabel upon her retirement from the Housing and Community Development Department after 11 years of dedicated service to the County of Santa Barbara.

A-9) SUPERVISOR GRAY [File Reference No. 09-00104](#)
Adopt a Resolution of Commendation honoring George Bobolia upon the conclusion of his service on the Santa Barbara County Board of Retirement.

A-10) SUPERVISOR CENTENO [File Reference No. 09-00071](#)
Adopt a Resolution of Commendation honoring Brian Banks, Noel Langle, Veronica Lanz, Petra Leyva, and Alex Tuttle of the Planning and Development Department as the February 2009 Santa Barbara County Employees of the Month.

Honorary Resolutions

A-11) SUPERVISOR CARBAJAL [File Reference No. 09-00102](#)
Adopt a Resolution honoring Suzan Labadie for her dedicated service as a teacher at Notre Dame School.

Administrative Items

A-12) GENERAL SERVICES [File Reference No. 09-00109](#)
Consider recommendations regarding the Clerk Recorder Assessor Election Records Storage Building Project No. 8648, Award of Construction Contract, Second District, as follows:

- a) Approve and authorize the Chair to execute a Fixed Price Construction Contract in the amount of \$769,000.00 to the lowest responsible bidder willing to honor their bid, Newton Construction Management, Inc. of San Luis Obispo, 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; 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 \$50,950 for this contract.

A-13) 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.

A-14) PLANNING AND DEVELOPMENT

[File Reference No. 09-00106](#)

Set the 2009 window dates for acting on proposed Comprehensive Plan (amendments to mandatory elements) and Local Coastal Program Amendments as follows:

a) Set March 10, May 12, August 18, and November 10, 2009 for proposed Comprehensive Plan (amendments to mandatory elements); and

b) Set April 7, August 18, and December 1, 2009 for proposed Local Coastal Program amendments.

A-15) PLANNING AND DEVELOPMENT

[File Reference No. 09-00108](#)

Approve and authorize the Chair to execute Coastal Resource Enhancement Fund (CREF) Contract, BC-09-079, with Trust for Public Lands, for the period of February 3, 2009 to June 30, 2009, in the amount of \$860,938, to purchase the 43.37-acre Gaviota Village property, Third District.

Resolutions to be Presented at 9:15 A.M.

A-16) SUPERVISOR CARBAJAL

[File Reference No. 09-00110](#)

Adopt a Resolution honoring Bill Palladini for his dedicated service as President of the Montecito Association.

Hearing Requests

A-17) SUPERVISOR WOLF and SUPERVISOR FARR

[File Reference No. 09-00111](#)

Set hearing to review and consider amendments to Chapter 2, Article X of the Santa Barbara County Code relating to the Establishment and Duties, Responsibilities and Authorities of the County Executive Officer, as follows:

a) Review, discuss and consider amendments to Chapter 2, Article X of the County Code and take appropriate action; and

b) Direct that the hiring of a Planning and Development Director be delayed pending review of Chapter 2, Article X.

(Set Hearing for 2/17/2009. Time estimate 60 minutes.)

ADDENDUM

Item A-18) is added to the Administrative Agenda, as follows:

A-18) SUPERVISOR WOLF

[File Reference No. 09-00123](#)

Set hearing to further consider the County's Housing Element Focused Rezone Program.

(Set Hearing for 2/24/2009. Time estimate 90 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

1) COUNTY EXECUTIVE OFFICE [File Reference No. 09-00055](#)

HEARING - Appoint representatives to the Indian Gaming Local Community Benefit Committee for the term of February 1, 2009- February 1, 2010, as follows: (EST. TIME: 5 MIN.)

a) Approve the appointment of Linda Jackson as the City of Solvang representative to the Indian Gaming Local Community Benefit Committee for the term of February 1, 2009 through February 1, 2010; and

b) Appoint two representatives to the Indian Gaming Local Community Benefit Committee for the term of February 1, 2009 through February 1, 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: 5 MIN.)

2) SUPERVISOR WOLF [File Reference No. 09-00073](#)

HEARING - Receive and file a report on the Countywide free library system. (EST. TIME: 30 MIN.)

Legislative History

1/27/09 BOARD OF SUPERVISORS Set for a hearing, as follows:
February 3, 2009 in Santa Barbara (EST. TIME: 30 MIN.)

3) COUNTY EXECUTIVE OFFICE and [File Reference No. 09-00056](#)
AUDITOR-CONTROLLER

HEARING - Consider recommendations regarding the Fiscal Year 2008-2009 Second Quarter Budget and Financial Update, as follows: (EST. TIME: 1 HR.)

a) Receive and file, per the provisions of Government Code Section 29126.2, the Fiscal Year 2008-09 Financial Status Report as of December 31, 2008, showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors; and

b) Receive and file a report on the Governor's Proposed FY 2009-10 Budget with emphasis on possible impacts on County departments.

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: 60 MIN.)

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

HEARING - Hold the first part of a four-part 2009-2010 budget development workshop and receive the Fiscal Year 2009-2010 Budget Development - Revenue Report. (EST. TIME: 1 HR. 30 MIN.)

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.)

5) COUNTY EXECUTIVE OFFICE [File Reference No. 09-00112](#)

HEARING - Consider recommendations regarding a Mandatory Countywide Hiring Freeze, as follows: (EST. TIME: 30 MIN.)

a) Direct the County Executive Officer to implement a mandatory (hard) hiring freeze effective February 3, 2009 that would include full-time, part time, extra help, temporary help, provisional appointments, promotions, voluntary demotions, transfers, departmental position allocation changes, temporary assignments, and contractors on payroll;

b) Determine any exceptions or exemptions including those such as:

i) Extra help and regular positions required to maintain mandatory staffing at Juvenile Institutions and the Psychiatric Health Facility such as: Assistant ADMHS Medical Director, Clinical Psychologists, Mental Health Practitioners, Staff Nurse, Psychiatrist, Sheriff Deputy classifications, etc;

ii) Custody Deputy classifications at the jail in cases where overtime costs will exceed the cost of filling a vacancy;

iii) Firefighters, Fire Engineers, and Fire Captains to meet constant staffing requirements in cases where overtime costs will exceed the cost of filling a vacancy;

iv) Classifications assigned to 24-hour Park operations;

v) Certain positions such as: Communications Dispatcher classifications; Juvenile Institution Officers; Custody Deputy classifications; and

vi) Certain non-General Fund functions such as: Roads, Solid Waste, Flood Control, and Laguna Sanitation;

c) Direct the County Executive Officer to provide department heads with instructions to implement the mandatory hiring freeze as directed by the Board;

d) Direct department heads to manage overtime costs within their approved budgets; and

e) Schedule this matter for reevaluation at a Board meeting in approximately six months (August 2009).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Adjourn to
February 10, 2009
Betteravia Government Center
Board Hearing Room
511 East Lakeside Parkway
Santa Maria

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 3, 2009 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 5, 2009, at 5:00 PM and on Saturday, February 7, 2009 at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>