
ACTION SUMMARY

February 03, 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

7:50 A.M. Convened and Recessed to Closed Session

9:00 A.M. Reconvened to Regular Session

CONVENED AT 9:05 A.M.

Roll Call

Present: Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray and Supervisor Centeno

Pledge of Allegiance

Report from Closed Session

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

Closed Session Agenda

County Counsel reported the following:

In the case of Taylor v. County of Santa Barbara, Case Nos. 101024, 1010254 & 101026, the Board unanimously voted to authorize settlement of all workers compensation claims in the amount of \$83,170; and

In the matter of Cory Place, the Board of Supervisors voted to decline to initiate litigation. Supervisors Farr, Centeno, Wolf and Gray voting yes and Supervisor Carbajal voting no.

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

Approval of Minutes of the January 27, 2009 Meeting

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

Administrative Agenda

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

RESOLUTION NO. 09-011

The motion carried unanimously.

- 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 motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Adopted
RESOLUTION NO. 09-012
The motion carried unanimously.
- 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 motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Adopted
RESOLUTION NO. 09-013
The motion carried unanimously.
- 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 motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Adopted
RESOLUTION NO. 09-014
The motion carried unanimously.
- 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 motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Adopted
RESOLUTION NO. 09-015
The motion carried unanimously.
- 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 motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Adopted
RESOLUTION NO. 09-016
The motion carried unanimously.

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

RESOLUTION NO. 09-017

The motion carried unanimously.

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

RESOLUTION 09-018

The motion carried unanimously.

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

RESOLUTION NO. 09-019

The motion carried unanimously.

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.

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

RESOLUTION NO. 09-020

The motion carried unanimously.

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.

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

RESOLUTION NO. 09-021

The motion carried unanimously.

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

a) **Approved; Chair to execute.**

b) **Authorized.**

The motion carried unanimously.

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 motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Withdrawn from the agenda. The motion carried unanimously.

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

a) and b) Approved.

The motion carried unanimously.

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.

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Approved; Chair to Execute. The motion carried unanimously.

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.

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

RESOLUTION NO. 09-022

The motion carried unanimously.

Hearing RequestsA-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.

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: February 17, 2009 in Santa Barbara (EST. TIME: 60 MIN.) The motion carried unanimously.

A-18) SUPERVISOR WOLF[File Reference No. 09-00123](#)

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

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: February 24, 2009 in Santa Maria (EST. TIME: 90 MIN.) The motion carried unanimously.

Approval of Administrative Agenda

HEARING TIME: 9:20 A.M. - 10:38 A.M. (73 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, to Approve the Administrative Agenda as Amended. The motion carried unanimously.

Public Comment Period

HEARING TIME: 10:40 A.M. - 10:53 A.M. (13 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. 03-282) (09-00001)

RE: Invocation / Health Care Issues - Sister Janet Corcoran Addressed the Board.

RE: Social Services for the Homeless - Lazarus Addressed the Board.

RE: Employment Discrimination / Board Appointments - Dr. Robert Johns Addressed the Board.

RE: Board Appointments Procedures - Fourth District Supervisor Joni Gray Addressed the Board.

RE: Guadalupe Concerned Citizens - George Alvarez Addressed the Board.

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

HEARING TIME: 11:00 A.M. - 11:13 A.M. (13 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) Approved appointment of Linda Jackson.

b) Approved appointment of Hans Duus and Russ Hicks, both to serve for the term of February 1, 2009 through February 1, 2010.

The motion carried unanimously.

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

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

HEARING TIME: 11:15 A.M. - 11:45 A.M. (30 MIN.)

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

Received and filed staff presentation and conducted public hearing.

Adopted a Resolution Honoring James R. Downing for Service Rendered as a Library Advisory Committee Member.

RESOLUTION NO. 09-023

The motion carried unanimously.

- 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

HEARING TIME: 12:35 P.M. - 2:05 P.M. (90 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) and b) Received and filed.

The motion carried unanimously.

- 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

HEARING TIME: 2:15 P.M. - 3:40 P.M. (85 MIN.)

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

Received and filed staff presentation and conducted public hearing.

Accepted.

The motion carried unanimously.

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

HEARING TIME: 3:55 P.M. - 4:50 P.M. (55 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) through e) No action taken.

Directed staff to report back to the Board on a monthly basis with a report on all hiring that has occurred during that time frame and to include the associated rational for each hire.

Further directed staff to provide a list of all management and executive hires since January 2008.

The motion carried unanimously.

Adjourned at 4:55 PM

Adjourned to

February 10, 2009

Betteravia Government Center

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

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>