

**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, October 4, 2011**

**9:00 AM**

**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](http://www.countyofsb.org).

**9:00 A.M. .... Convened to Regular Session**

*CONVENED: 9:05 A.M.*

**Roll Call**

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

**Pledge of Allegiance**

**Approval of Minutes of the September 20, 2011 Meeting**

**A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, to Approve the Minutes. The motion carried by the following vote.**

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

**12:00 P.M. .... Recess to Closed Session**

**Report from Closed Session**

COUNTY COUNSEL

[11-00040](#)

Closed Session Agenda

**No report from closed session.**

**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 CARBAJAL [11-00762](#)

Adopt a Resolution proclaiming September 15, 2011 through October 15, 2011 as Hispanic Heritage Month in Santa Barbara County.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 11-334**

**The motion carried by the following vote.**

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

A-2) SUPERVISOR CARBAJAL [11-00763](#)

Adopt a Resolution celebrating 100 years of women’s suffrage in the State of California.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 11-335**

**The motion carried by the following vote.**

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

A-3) SUPERVISOR CARBAJAL [11-00764](#)

Adopt a Resolution of Commendation honoring Elvia Nye upon her retirement from the Clerk-Recorder-Assessor’s Office after 34 years of dedicated service to the County of Santa Barbara and the residents of our community.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 11-336**

**The motion carried by the following vote.**

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

A-4) SUPERVISOR CARBAJAL[11-00765](#)

Adopt a Resolution of Commendation honoring Pam Smith upon her retirement from the Clerk-Recorder-Assessor's Office after 35 years of dedicated service to the County of Santa Barbara and the residents of our community.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 11-337**

**The motion carried by the following vote.**

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

A-5) SUPERVISOR CARBAJAL[11-00766](#)

Adopt a Resolution of Commendation honoring Kate Rees upon her retirement from the Cachuma Operations and Management Board and further commends her for her leadership and vision to secure the water supply of Lake Cachuma.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 11-338**

**The motion carried by the following vote.**

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

A-6) SUPERVISOR WOLF[11-00748](#)

Adopt a Resolution proclaiming the month of October 2011 as National Arts and Humanities Month and October 7, 2011 as California Arts Day in Santa Barbara County.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 11-339**

**The motion carried by the following vote.**

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

A-7) SUPERVISOR FARR [11-00746](#)

Adopt a Resolution proclaiming the week of October 2, 2011 through October 8, 2011 as National 4-H Week in Santa Barbara County.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 11-340**

**The motion carried by the following vote.**

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

A-8) SUPERVISOR FARR [11-00753](#)

Adopt a Resolution of Commendation honoring the Vandenberg Village Lions Club for their exceptional community service.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 11-341**

**The motion carried by the following vote.**

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

**Honorary Resolutions**

A-9) SUPERVISOR CARBAJAL [11-00767](#)

Adopt a Resolution celebrating the 20th anniversary of the Dyslexia Awareness and Resource Center.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 11-342**

**The motion carried by the following vote.**

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

**A-10) SUPERVISOR CARBAJAL****11-00768**

Adopt a Resolution celebrating the 25th anniversary of the California Avocado Festival.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 11-343**

**The motion carried by the following vote.**

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

**A-11) SUPERVISOR WOLF, SUPERVISOR FARR****11-00745**

Adopt a Resolution of Commendation honoring Margaret Connell as the 2011 recipient of the Planned Parenthood Action Fund Giraffe Award.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 11-344**

**The motion carried by the following vote.**

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

**Administrative Items****A-12) GENERAL SERVICES****11-00760**

Consider recommendations regarding a Memorandum of Understanding with the Friends of the Library of Santa Ynez Valley, Inc. regarding plans for a 7,000 square foot expansion to the Solvang Library, Third District, as follows:

a) Approve and authorize the Chair to execute a Memorandum of Understanding (MOU) with the Friends of the Library of Santa Ynez Valley, Inc. a non-profit organization wherein the parties agree to the roles, responsibilities and financial relationship of the two entities relative to the operation of a proposed 7,000 square foot expansion of the Solvang Library located at 1745 Mission Drive, City of Solvang, State of California; and

b) Find that the proposed action does not constitute a "Project" within the meaning of CEQA, pursuant to 14 CCR 15378 (b)(4) (creation of government funding mechanisms).

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, 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-13) GENERAL SERVICES**

**[11-00761](#)**

Adopt a Resolution which consents to and approves the transaction and the transfer of the Cable Communications System Franchise from CoxCom, LLC to Cox Communications California, LLC.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 11-345**

**The motion carried by the following vote.**

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

**A-14) GENERAL SERVICES**

**[11-00759](#)**

Consider recommendations regarding Amendments No. 1 and No. 2 to the Lompoc Veterans Memorial Building Electrical Upgrades, Project No. 8693, 100 East Locust Avenue, Lompoc, Fourth District, as follows:

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Contract with Native Electrical Construction, Inc. for the Lompoc Veterans Memorial Building Electrical Upgrades project in the amount of \$13,407.93 upon return of the Contractor's executed contract documents and the review and approval of County Counsel, Auditor-Controller and Risk Manager or their authorized representatives;
- b) Approve and authorize the Chair to execute Amendment No. 2 to the Contract with Native Electrical Construction, Inc. for the Lompoc Veterans Memorial Building Electrical Upgrades project in the amount of \$17,000.00 upon return of the Contractor's executed contract documents and the review and approval of County Counsel, Auditor-Controller and Risk Manager or their authorized representatives for a total amended contract amount of \$226,542.93; and
- c) Re-authorize the Director of General Services or designee to approve individual change

orders of an amount not to exceed \$19,613.50 for this Contract.

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

- a) and b) Approved.**
- c) Re-authorized.**

**The motion carried by the following vote.**

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

**A-15) HOUSING AND COMMUNITY DEVELOPMENT [11-00769](#)**

Approve and authorize the Chair to execute the First Amendment to the Agreement to Provide Affordable Housing - StoneGate, TM 14,481, 98-DP-019, with the Department of Housing and Community Development and direct its recordation, Orcutt area, Fourth District.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, 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-16) HUMAN RESOURCES [11-00754](#)**

Approve a Side Letter Agreement with the Union of American Physicians and Dentists (UAPD) to delay a previously-negotiated 3.5% wage increase.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, 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) HUMAN RESOURCES

[11-00755](#)

Adopt a Resolution amending the Classification and Compensation Plan to change the overtime status of Job Classification No. 003930, Healthcare Practitioner, from exempt to non-exempt.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 11-346**

**The motion carried by the following vote.**

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

A-18) PROBATION

[11-00757](#)

Consider recommendations regarding the acceptance of Federal Fiscal Year (FFY) 2011 Adult Drug Court Discretionary Grant Funding, as follows: (4/5 Vote Required)

- a) Authorize the Chief Probation Officer to accept the Adult Drug Court Discretionary Grant/Fiscal Year 2011 Competitive Grant award in the amount of \$200,000.00 from the Office of Justice Programs at the United States Department of Justice; and
- b) Approve a Budget Revision recognizing the unanticipated revenue.

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

- a) Authorized; and**
- b) Approved.**

**The motion carried by the following vote.**

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

A-19) PUBLIC HEALTH[11-00756](#)

Consider recommendations regarding a Grant for Public Health, Pandemic and Hospital Emergency Preparedness and Report on Disaster Medical Surge Supplies and Equipment, as follows:

- a) Authorize the Public Health Department Director to execute Agreement No. EPO 11-42 with California Department of Public Health Emergency Preparedness Office for 2011/2012 CDC Public Health Emergency Preparedness (PHEP), State General Fund (GF) Pandemic Influenza, and HHS Hospital Preparedness Program (HPP) funding in an amount not to exceed \$664,571.00;
- b) Receive and file a report on disaster-related medical supplies and equipment received from the California Department of Public Health and distributed to various cache locations throughout Santa Barbara County; and
- c) Determine that these activities are exempt from California Environmental Quality Act review per CEQA Guideline Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activities may have a significant effect on the environment.

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

- a) Authorized;**
- b) Received and filed; and**
- c) Approved.**

**The motion carried by the following vote.**

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

A-20) PUBLIC WORKS[11-00682](#)

Consider recommendations regarding speed limits on various roads, Second, Third and Fourth Districts, as follows:

- a) Consider the adoption (second reading) of an Ordinance amending Chapter 23, Sections 23-15.3, 23-15.4, 23-15.5 & 23-15.6 of the Code of Santa Barbara County, pertaining to speed limits on Cathedral Oaks Road, Hollister Avenue and State Street in the Santa Barbara area; Paradise Road in the Cachuma Lake area; Refugio Road in the Santa Ynez area; and Hummel Drive and Solomon Road in the Orcutt area; and
- b) Approve the filing of a Notice of Exemption pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (c), pertaining to maintenance and operation

of existing facilities, for this project.

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

**a) Adopted.**

**ORDINANCE NO. 4803**

**b) Approved.**

**The motion carried by the following vote.**

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

**A-21) PUBLIC WORKS**

**[11-00752](#)**

Consider recommendations regarding the Cathedral Oaks Road Bridge (No. 51C-001) Replacement Project, Federal Project No. BRLSZD-5951(082), County Project No. 862274, Second District, as follows:

a) Approve the Project and Mitigated Negative Declaration and Findings (11NGD-00000-00009) for the Cathedral Oaks Road Bridge (No. 51C-001) Replacement Project; and

b) Authorize the Director of Public Works to advertise for construction bids for the Cathedral Oaks Road Bridge (No. 51C-001) Replacement Project.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, 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-22) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT**

**[11-00751](#)**

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

Consider recommendations regarding the Final Mitigated Negative Declaration for the Las Vegas-San Pedro Creeks Capacity Improvement Project, Third District, as follows:

- a) Certify that the Final Mitigated Negative Declaration (MND), No. 11-NGD-00000-00008, for the Las Vegas-San Pedro Creeks Capacity Improvement Project has been completed in compliance with the California Environmental Quality Act (CEQA);
  
- b) Certify that the Board has reviewed and considered the information contained in the Final MND No. 11-NGD-00000-00008, as well as information presented during the public hearing, prior to the approval of the project, and adopt the CEQA Findings; and
  
- c) Adopt the project description (Proposed Project) and mitigation measures, with their corresponding monitoring requirements, as the Mitigation Monitoring Program for this project.

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

**a) and b) Certified.**

**c) Adopted.**

**The motion carried by the following vote.**

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

**Board of Supervisors**

A-23) SUPERVISOR CARBAJAL [11-00773](#)

Approve the appointment of Rubayi Srivastava to the Human Services Commission, term ending June 30, 2014, First District.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, 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-24) SUPERVISOR WOLF [11-00749](#)

Approve the appointment of Maria Lopez to the Commission for Women, term ending October 30, 2014, Second District.

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, 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

## Hearing Requests

A-25) GENERAL SERVICES

[11-00758](#)

Consider recommendations regarding a Notice and Resolution of Intent to Grant a Private Pipeline Franchise to ERG Resources, LLC, in County Roadway, Fourth and Fifth Districts, as follows:

- a) Approve a Notice of Exemption addressing the environmental impact of ERG Resources, LLC's use of the County roadways of Palmer Road and Cat Canyon Road near the Cat Canyon Oil Fields north of Los Alamos, in the unincorporated area of the County;
- b) Adopt a Notice and Resolution of Intent to Grant a Private Pipeline Franchise to ERG Resources, LLC, for a twenty (20) year term, pursuant to Santa Barbara County Code Section 2-82;
- c) Set hearing to consider the introduction (first reading) of an Ordinance granting a Private Pipeline Franchise to ERG Resources, for a twenty (20) year term, to allow the operation and maintenance of the existing pipeline system through the County roadways of Palmer Road and Cat Canyon Road near the Cat Canyon Oil Fields north of Los Alamos in the unincorporated territory of Santa Barbara County; and  
(Set hearing for 11/1/11. Time estimate 5 minutes.)
- d) Set hearing on the Administrative Agenda of November 15, 2011 to consider the adoption (second reading) of an Ordinance granting a Private Pipeline Franchise to ERG Resources, LLC, for a twenty (20) year term, to allow the operation and maintenance of the existing pipeline system in a portion of the unincorporated territory of Santa Barbara County.

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

**a) Approved.**

**b) Adopted.**

**RESOLUTION NO. 11-347**

**c) Set for a hearing on November 1, 2011 in Santa Barbara (EST. TIME: 5 MIN.).**

**d) Set for a hearing on November 15, 2011 in Santa Barbara on the Administrative Agenda.**

**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: 9:10 A.M. - 9:15 A.M. / 1:50 P.M. - 2:15 P.M. (30 MIN.)*

**A motion was made by Supervisor Farr, seconded by Supervisor Wolf, 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

**11-00001**

**Public Comment**

*HEARING TIME: 9:16 A.M. - 9:24 A.M. / 1:45 A.M. - 1:48 A.M. (11 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: County Land Use Codes - Andy Caldwell and John Thorndike, IV Addressed the Board.**

**RE: Isla Vista Halloween weekend - Dr. Robert L. Johns Addressed the Board.**

**RE: Diablo Canyon and other US nuclear power plants - Sharon Ross Addressed the Board.**

**Departmental Agenda**  
**Planning Items and Public Hearings**

1) COUNTY EXECUTIVE OFFICE 11-00744

HEARING - Consider recommendations regarding responses to the Santa Barbara Civil Grand Jury report entitled, "Homeless Mentally Ill Indigent Recidivism - This is not good for the County", as follows: (EST. TIME: 30 MIN.)

- a) Adopt responses as the Board of Supervisors responses to the Grand Jury report entitled "Homeless Mentally Ill Indigent Recidivism - This is not good for the County"; and
- b) Approve and authorize the Chair to execute a letter forwarding the responses to the Presiding Judge and Foreperson of the Grand Jury.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 9:25 A.M. - 9:58 A.M. (33 MIN.)*

**Received and filed staff presentation and conducted public hearing.**

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

**a) Adopted, amended as follows:**

**Add to the analysis a review of the following:**

**The outpatient treatment expansion and treatment court; the role of the leadership of ADMHS in our reporting cycle; analysis of converting the Juvenile Hall facility into a treatment center given the inability to convert the facility back; and return to the Board with a report on these issues along with a cost benefit analysis in four months.**

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

**Directed the Sheriff to return to the Board on an annual or bi-annual basis with a report on the statistics outlined by Sheriff staff regarding Public Health, ADMHS and its outside contractors.**

**The motion carried by the following vote.**

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



2) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS, 11-00770  
REDEVELOPMENT AGENCY

HEARING - Consider recommendations regarding participation in the Alternative Voluntary Redevelopment Program, as follows: (4/5 Vote Required) (EST. TIME: 30 MIN.)

Acting as the Board of Supervisors:

a) Consider the introduction (first reading) of an Ordinance determining that the County will comply with the Alternative Voluntary Redevelopment Program pursuant to Part 1.9 of Division 24 of the California Health and Safety Code in order to permit the continued existence and operation of the Redevelopment Agency of the County of Santa Barbara (Continuation Ordinance) and waive full reading of the Ordinance;

b) Set hearing on the Administrative Agenda of October 11, 2011 to consider the adoption (second reading) of the Continuation Ordinance;

c) Approve Budget Revision No. 0001805 for a \$1,953,000.00 remittance to the State and a \$1,953,000.00 transfer from the Redevelopment Agency of the County of Santa Barbara (Redevelopment Agency) to the County. Approval of the Budget Revision only provides for the appropriation to make payments if the Ordinance becomes effective and the payments are required;

d) Approve and authorize the Chair to enter into a Conditional Reimbursement Agreement between the County and the Redevelopment Agency to provide for Redevelopment Agency reimbursement to the County of remittances paid by the County to the State as required under ABX1 27;

e) Determine, that the above actions do not constitute a “project” under the California Environmental Quality Act (CEQA) but instead consist of the creation or continuation of a governmental funding mechanism for potential future projects and programs and/or governmental organizational activities pursuant to CEQA Guideline Sections 15378(b)(4) and 15378(b)(5);

Acting as the Board of Directors, Redevelopment Agency:

f) Approve and authorize the Chair to enter into a Conditional Reimbursement Agreement between the County and the Redevelopment Agency to provide for Redevelopment Agency reimbursement to the County of remittances paid by the County to the State as required under ABX1 27;

g) Approve Budget Revision No. 0001805 for a \$1,953,000.00 transfer from the Redevelopment Agency to the County. Approval of the Budget Revision only provides for the appropriation to make payments if the Ordinance becomes effective and the payments are required; and

h) Determine, that the above actions do not constitute a “project” under the California

Environmental Quality Act (CEQA) but instead consist of the creation or continuation of a governmental funding mechanism for potential future projects and programs and/or governmental organizational activities pursuant to CEQA Guideline Sections 15378(b)(4) and 15378(b)(5).

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

*HEARING TIME: 9:59 A.M. - 10:02 A.M. (3 MIN.)*

**Received and filed staff presentation and conducted public hearing.**

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

**Acting as the Board of Supervisors:**

**a) Read title, waived reading of the Ordinance in it's entirety. Introduction approved; adoption (second reading) of the Ordinance set for October 11, 2011 in Santa Maria on the Administrative Agenda.**

**b) Set hearing for adoption (second reading) on the Administrative Agenda for October 11, 2011 in Santa Maria.**

**c) Approved.**

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

**e) Authorized.**

**The motion carried by the following vote.**

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

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

**Acting as the Board of Directors, Redevelopment Agency:**

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

**g) Approved.**

**h) Authorized.**

**The motion carried by the following vote.**

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

3) PUBLIC WORKS11-00705

HEARING - Consider recommendations regarding the Seismic Retrofit of the San Marcos Road Bridge No. 51C-002 at Maria Ygnacia Creek, Federal Project No. BRLSZD-5951(090), County Project No. 862275, Second District, as follows: (EST. TIME: 30 MIN.)

a) Approve the plans and specifications for the Seismic Retrofit of San Marcos Road Bridge No. 51C-002 at Maria Ygnacia Creek;

b) Consider the bid protest of Souza Construction, Inc. (Souza), and the response of Brough Construction, Inc. (Brough) and follow the recommendation of staff and the County Executive Office, as follows:

i) Find that the good faith Underutilized Disadvantaged Business Enterprise (UDBE) efforts of Brough met the requirements of the bid documents;

ii) Find the bid protest of Souza to be without merit;

iii) Award the Construction Contract in the amount of \$737,911.50 to the lowest responsible bidder, Brough Construction, Inc. (a Tri-County Vendor), 634 Prinz Road, Arroyo Grande, California 93420, subject to the provision of documents and certifications, as set forth in the plans and specifications applicable to the project, and as required under California Law; and

iv) Approve a contingency fund of \$49,395.58 for the Seismic Retrofit of San Marcos Road Bridge No. 51C-002 at Maria Ygnacia Creek;

Or, consider the alternative, as follows:

c) Consider the bid protest of Souza Construction, Inc. (Souza), and the response of Brough Construction, Inc. (Brough) and act as follows:

i) Find that Brough's bid is non-responsive based on a lack of good faith UDBE efforts;

ii) Uphold the protest of Souza;

iii) Award the Construction Contract in the amount of \$789,473.54 to the lowest responsible bidder, Souza Engineering Contracting, (a Tri-County Vendor), P.O. Box 3810, San Luis Obispo, CA 93403, subject to the provision of documents and certifications, as set forth in the plans and specifications applicable to the project, and as required under California Law; and

iv) Approve a contingency fund of \$51,973.68 for the Seismic Retrofit of San Marcos Road Bridge No. 51C-002 at Maria Ygnacia Creek;

- 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 County Counsel, Auditor-Controller, and Risk Management or their authorized representatives; and
- e) Find that the proposed action is for the maintenance and minor alteration of an existing public structure, involving negligible, or no expansion of use beyond that which presently exists, and that the proposed action is therefore exempt from CEQA pursuant to 14 CCR 15301.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

*HEARING TIME: 10:03 A.M. - 10:30 A.M. (27 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:**

**Closed public comment period.**

**a) Approved.**

**b) Considered bid protest of Souza Construction, Inc. and response of Brough Construction, Inc. and approved recommendations by staff and Chief Executive Officer, as follows:**

- i) Found that the good faith Underutilized Disadvantaged Business Enterprise (UDBE) efforts met requirements of bid documents;**
- ii) Found bid protest of Souza Construction, Inc. to be without merit;**
- iii) Awarded Contract to Brough Construction, Inc. and**
- iv) Approved contingency fund for retrofit.**

**c) No action taken.**

**d) Approved.**

**e) Authorized.**

**Directed staff to return to the Board or make a report by memorandum with analysis of the County's UDBE goals for the last 1-2 year period.**

**The motion carried by the following vote.**

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

4) SOCIAL SERVICES11-00723

HEARING - Consider recommendations regarding the approval of Workforce Investment Act (WIA) Youth Contracts with Community Action Commission of Santa Barbara County (CAC), Santa Ynez Valley People Helping People (SYVPHP), and Henkels & McCoy Training Services, as follows: (EST. TIME: 45 MIN.)

a) Approve and authorize the Chair to execute a Contract with Community Action Commission of Santa Barbara County (CAC) (a local vendor) in the amount of \$74,798.00 for the period October 1, 2011 through July 5, 2012 to provide WIA Youth Services to In-School eligible youth between the ages of 14-21 years of age in Santa Barbara, Goleta, and Carpinteria;

b) Approve and authorize the Chair to execute a Contract with Santa Ynez Valley People Helping People (SYVPHP) (a local vendor) in the amount of \$175,202.00 for the period October 1, 2011 through July 5, 2012 to provide WIA Youth Services to In-School eligible youth between the ages of 14-21 years of age in Lompoc, Solvang and Santa Ynez;

c) Approve and authorize the Chair to execute a Contract with Community Action Commission of Santa Barbara County (a local vendor) in the amount of \$113,731.00 for the period October 1, 2011 through July 5, 2012 to provide WIA Youth Services to Out-of-School eligible youth between the ages of 14-21 years of age in Santa Barbara and Carpinteria; and

d) Approve and authorize the Chair to execute a Contract with Henkels & McCoy Training Services (not a local vendor) in the amount of \$236,269.00 for the period October 1, 2011 through July 5, 2012 to provide WIA Youth Services to Out-of-School eligible youth between the ages of 19-21 years of age in Lompoc and Santa Maria.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 10:31 A.M. - 10:32 A.M. (1 MIN.)*

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Withdrawn from the agenda. The motion carried by the following vote.**

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

5) PLANNING AND DEVELOPMENT

11-00731

HEARING - Consider recommendations regarding Chapter 21 Appeals and Certificates of Compliance Process Ordinance Amendment, as follows: (EST. TIME: 15 MIN.)

a) Consider the introduction (first reading) of an Ordinance (Case No. 11ORD-00000-00011) amending Chapter 21, Land Division, of the Santa Barbara County Code to update the procedures regarding accepting and processing of appeals, and add procedures for processing certificates of compliance; and

b) Set a hearing on the Administrative Agenda of October 18, 2011 to consider recommendations, as follows:

i) Make the findings for approval, including CEQA findings, of the proposed Ordinance;

ii) Approve the Notice of Exemption; and

iii) Consider the adoption (second reading) of an Ordinance (Case No. 11ORD-00000-00011) amending Chapter 21, Land Division, of the Santa Barbara County Code.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

*HEARING TIME: 10:50 A.M. - 10:58 A.M. (8 MIN.)*

**Received and filed staff presentation and conducted public hearing.**

**A motion was made by Supervisor Carbajal, 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 October 18, 2011 in Santa Maria on the Administrative Agenda.**

**b) Set hearing for adoption (second reading) on the Administrative Agenda for October 18, 2011 in Santa Barbara.**

**The motion carried by the following vote.**

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

6) PLANNING AND DEVELOPMENT11-00729

HEARING - Consider recommendations of the County and Montecito Planning Commissions to approve Case Nos. 11ORD-00000-00012, 11ORD-00000-00013 and 11ORD-00000-00014 which would amend, respectively, the County Land Use and Development Code, the Montecito Land Use and Development Code, and the Article II Coastal Zoning Ordinance, to implement a series of amendments that address emerging issues and correct and clarify existing language, as follows: (EST. TIME: 45 MIN.)

a) Consider recommendations regarding Case No. 11ORD-00000-00012, County LUDC Amendment, as follows:

- i) Make the findings for approval, including CEQA findings, of the proposed Ordinance;
- ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and
- iii) Approve Case No. 10ORD-00000-00012, and adopt an Ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code;

b) Consider recommendations regarding Case No. 11ORD-00000-00013, Montecito LUDC Amendment, as follows:

- i) Make the findings for approval, including CEQA findings, of the proposed Ordinance;
- ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and
- iii) Approve Case No. 11ORD-00000-00013, and adopt an Ordinance amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code; and

c) Consider recommendations regarding Case No. 11ORD-00000-00014, Article II Coastal Zoning Ordinance Amendment, as follows:

- i) Make the findings for approval, including CEQA findings, of the proposed Ordinance;
- ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and
- iii) Approve Case No. 11ORD-00000-00014, and adopt an Ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

*HEARING TIME: 11:00 AM. - 12:05 P.M. (1 HR., 5 MIN.)*

**A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Continued, as follows: November 1, 2011 in Santa Barbara (EST. TIME: 90 MIN.). The motion carried by the following vote.**

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



7) PLANNING AND DEVELOPMENT11-00733

HEARING - Consider recommendations of the Montecito and County Planning Commissions to approve Case Nos. 10ORD-00000-00007, 11ORD-00000-00020, and 11ORD-00000-00021 which would amend the County Land Use and Development Code, Montecito Land Use and Development Code, and the Coastal Zoning Ordinance requirements for commercial Medical Marijuana Collective/Cooperative (MMC) Storefronts, as follows: (EST. TIME: 1 HR.)

a) Consider recommendations regarding Case No. 10ORD-00000-00007, County LUDC Amendment, as follows:

i) Make the findings for approval of the proposed Amendments, including CEQA findings;

ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and

iii) Approve Case No. 10ORD-00000-00007, and adopt an Ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code;

b) Consider recommendations regarding Case No. 11ORD-00000-00020, Montecito LUDC Amendment, as follows:

i) Make the findings for approval of the proposed Amendments, including CEQA findings;

ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and

iii) Approve Case No. 11ORD-00000-00020, and adopt an Ordinance amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code; and

c) Consider recommendations regarding Case No. 11ORD-00000-00021, Coastal Zoning Ordinance Amendment, as follows:

i) Make the findings for approval of the proposed Amendments, including CEQA findings;

ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and

iii) Approve Case No. 11ORD-00000-00021, and adopt an Ordinance amending Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

*HEARING TIME: 2:35 P.M. - 3:27 P.M. (53 MIN.)*

**Received and filed staff presentation and conducted public hearing.**

**A motion was made by Supervisor Farr to approve staff's recommendations a) through c) but failed for lack of a second.**

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

**a) through c) No action taken.**

**Directed staff to draft an Ordinance banning all Medical Marijuana Collective/Cooperatives (MMC) and return to the Board for a hearing on November 1, 2011 in Santa Barbara after the draft has been considered by both the Santa Barbara Planning Commission and the Montecito Planning Commission. (EST. TIME: 30 MIN.)**

**The motion carried by the following vote.**

**Ayes:** 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Gray, and Supervisor Lavagnino

**Noes:** 1 - Supervisor Farr

11-00063

Board Member Reports

*HEARING TIME: 3:28 P.M. - 3:29 P.M. (1 MIN.)*

**Re: Announced Santa Maria Mayor Larry Lavagnino would not seek re-election and the celebration of the 75th anniversary of the Lompoc Veterans Memorial Building - Fourth District Supervisor Joni Gray Addressed the Board.**

**Adjourned at 3:30 P.M.**

**Adjourned to**

**October 11, 2011**

**Joseph Centeno Betteravia Government Administration Building**  
**Board Hearing Room**  
**511 East Lakeside Parkway**  
**Santa Maria**

**Announcements**

*The meeting of Tuesday, October 4, 2011 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, October 6, 2011, at 5:00 PM and on Saturday, October 8, 2011, at 10:00 AM on CSBTV Channel 20.*

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