

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, May 10, 2011

9:00 AM

**JOSEPH CENTENO BETTERAVIA GOVERNMENT
ADMINISTRATION BUILDING, 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.

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

9:00 A.M. Reconvened to Regular Session

CONVENED: 9:13 A.M.

Roll Call

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

Pledge of Allegiance

Report from Closed Session

1) COUNTY COUNSEL

[11-00040](#)

Closed Session Agenda

No reportable action taken.

Approval of Minutes of the May 3, 2011 Meeting

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

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Lavagnino

Abstained: 1 - Supervisor Gray

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 FARR [11-00327](#)**

Adopt a Resolution of Commendation honoring Custody Commander Diana Stetson upon her retirement from the Sheriff's Department after over 28 years of dedication, loyalty and excellence in service to the citizens of Santa Barbara County.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Continued, as follows: May 17, 2011 on the Administrative Agenda. The motion carried by the following vote.

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

A-2) SUPERVISOR LAVAGNINO [11-00389](#)

Adopt a Resolution proclaiming the month of May 2011 as Military Appreciation Month in Santa Barbara County.

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

RESOLUTION NO. 11-195

The motion carried by the following vote.

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

A-3) SUPERVISOR LAVAGNINO [11-00390](#)

Adopt a Resolution proclaiming the month of May 2011 as Mental Health Month in Santa Barbara County.

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

RESOLUTION NO. 11-196

The motion carried by the following vote.

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

Honorary Resolutions**A-4) SUPERVISOR CARBAJAL [11-00362](#)**

Adopt a Resolution of Commendation honoring the Santa Barbara School Districts upon their 145th anniversary.

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

RESOLUTION NO. 11-197

The motion carried by the following vote.

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

A-5) SUPERVISOR CARBAJAL [11-00376](#)

Adopt a Resolution proclaiming the month of May 2011 as Asian American and Pacific Islander Heritage Month in Santa Barbara County.

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

RESOLUTION NO. 11-198

The motion carried by the following vote.

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

A-6) SUPERVISOR WOLF [11-00367](#)

Adopt a Resolution of Commendation honoring Allan S. Ghitterman as a recipient of the 2011 Heroes for Justice Award.

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

RESOLUTION 11-199

The motion carried by the following vote.

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

A-7) SUPERVISOR WOLF [11-00368](#)

Adopt a Resolution of Commendation honoring Honorable Judge Frank Ochoa as a recipient of the 2011 Heroes for Justice Award.

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

RESOLUTION NO. 11-200

The motion carried by the following vote.

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

A-8) SUPERVISOR WOLF [11-00369](#)

Adopt a Resolution of Commendation honoring the Women’s Fund of Santa Barbara as a recipient of the 2011 Heroes for Justice Award.

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

RESOLUTION NO. 11-201

The motion carried by the following vote.

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

A-9) SUPERVISOR WOLF, SUPERVISOR LAVAGNINO [11-00366](#)

Adopt a Resolution of Commendation honoring Sylvia C. Barnard as a recipient of the 2011 Heroes for Justice Award.

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

RESOLUTION NO. 11-202

The motion carried by the following vote.

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

A-10) SUPERVISOR GRAY [11-00373](#)

Adopt a Resolution of Commendation honoring Robert W. Kennedy Sr. upon his retirement from the Human Services Commission

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

RESOLUTION NO. 1-203

The motion carried by the following vote.

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

A-11) SUPERVISOR GRAY

[11-00382](#)

Adopt a Resolution proclaiming the week of May 15, 2011 through May 21, 2011 as National Public Works Week in Santa Barbara County.

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

RESOLUTION NO. 11-204

The motion carried by the following vote.

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

A-12) SUPERVISOR LAVAGNINO

[11-00379](#)

Adopt a Resolution of Commendation proclaiming the month of May 2011 as Drug Court Month in Santa Barbara County.

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

RESOLUTION NO. 11-205

The motion carried by the following vote.

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

A-13) SUPERVISOR LAVAGNINO

[11-00370](#)

Adopt a Resolution of Commendation honoring Vicki Book upon her retirement from the Human Services Commission.

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

RESOLUTION NO. 11-206

The motion carried by the following vote.

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

Administrative Items

A-14) AUDITOR-CONTROLLER

[11-00372](#)

Receive and file the Auditor-Controller's Review Report on the Statement of Assets of the Santa Barbara County Treasurer, as of March 31, 2011.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Received and filed. The motion carried by the following vote.

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

A-15) AUDITOR-CONTROLLER[11-00378](#)

Approve Budget Revisions necessary in order to correctly classify fund balance in preparation for the required implementation of Governmental Accounting Standards Board Statement No. 54 (GASB 54) as of July 1, 2011. (4/5 Vote Required)

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, 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-16) COUNTY EXECUTIVE OFFICE[11-00374](#)

Approve Budget Revision Requests (SEE EXHIBIT A WITH POSTED AGENDA). (4/5 Vote Required).

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

Budget Revision Request No. BJE 0001338 is continued to May 17, 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

A-17) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT[11-00375](#)

Approve Budget Revision Requests (SEE EXHIBIT B WITH POSTED AGENDA). (4/5 Vote Required).

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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-18) COUNTY EXECUTIVE OFFICE, COUNTY COUNSEL**11-00321**

Consider recommendations regarding a Goleta Revenue Neutrality Agreement Amendment, as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Revenue Neutrality Agreement between the County of Santa Barbara and the City of Goleta; and
- b) Approve Budget Revision Request No. 001387.

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

- a) Approved; Chair to execute; 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) GENERAL SERVICES**11-00349**

Consider recommendations regarding a Janitorial Services Contract for South County Downtown Facilities, First District, as follows:

- a) Approve a Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines; and
- b) Approve and authorize the Chair to execute the remaining two (2) year Contract for janitorial services with Service Master of Santa Barbara (a local vendor), in the amount of \$483,480.00 for the period of July 1, 2011 through June 30, 2013.

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

- a) Approved; and**
- b) 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-20) GENERAL SERVICES[11-00350](#)

Consider recommendations regarding a Janitorial Services Contract for North County Facilities, Third, Fourth and Fifth Districts, as follows:

- a) Approve a Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines; and
- b) Approve and authorize the Chair to execute the remaining two (2) year Contract for janitorial services with Service Master of Santa Maria (a local vendor), in the amount of \$787,620.00, for the period of July 1, 2011 through June 30, 2013.

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

- a) Approved; and**
- b) 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-21) GENERAL SERVICES[11-00351](#)

Consider recommendations regarding a Janitorial Services Contract for South County Goleta Facilities, Second District, as follows:

- a) Approve a Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines; and
- b) Approve and authorize the Chair to execute the remaining two (2) year Contract for janitorial services with Service Master of Goleta (a local vendor), in the amount of \$211,154.16, for the period of July 1, 2011 through June 30, 2013.

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

- a) Approved; and**
- b) 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-22) GENERAL SERVICES11-00359

Consider recommendations regarding the Santa Barbara Public Defender Remodel, Project No. 8661, approval of Amendment Nos. 2 and 3, and PSA Amendment No. 2, First District, as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute Amendment No. 2 to the Contract with Melchiori Construction (a local vendor) for the Public Defender Remodel project in the amount of \$67,071.62 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. 3 to the Contract with Melchiori Construction (a local vendor) for the Public Defender Remodel project in the amount of \$17,911.00 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 \$3,295.313.91;
- c) Re-authorize the Director of General Services or designee to approve change orders up to the limit specified in Public Contract Code Section 20142, or \$210,000.00 for this Contract;
- d) Approve Budget Revision Request No. 0001402 for \$36,911.00 to transfer funds from the Clerk Recorder Assessor into the project budget (includes all design fees and construction costs associated with the emergency generator modifications); and
- e) Approve and authorize the Chair to execute Amendment No. 2 to the Professional Services Agreement with the CBA Partnership (not a local vendor) for additional the Public Defender Remodel project in the amount of \$55,570.00 for a total amended Contract amount of \$461,382.00.

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

- a) and b) Approved; Chair to execute;**
- c) Re-authorized;**
- d) Approved; and**
- e) 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-23) HOUSING AND COMMUNITY DEVELOPMENT[11-00278](#)

Consider recommendations regarding the Santa Barbara County HOME Consortium and CDBG Urban County Partnership Final 2011 Annual Action Plan, as follows:

- a) Adopt a Resolution authorizing submittal of the Santa Barbara County HOME Consortium and Urban County Partnership 2011 Annual Action Plan to the United States Department of Housing and Urban Development (HUD), that represents the grant application for the second operating year of the 2010-2015 Consolidated Plan; and
- b) Authorize the County Executive Officer to execute all certifications, standard forms and other related documents required for HOME and CDBG Program administration and implementation pursuant to submittal and approval of the 2011 Annual Action Plan.

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

a) Adopted; and

RESOLUTION NO. 11-207

b) Authorized.

The motion carried by the following vote.

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Lavagnino

Abstained: 1 - Supervisor Gray

A-24) PLANNING AND DEVELOPMENT[11-00363](#)

Approve and authorize the Chair to execute a letter and application to the Department of Alcohol Beverage Control (ABC), determining that public convenience will be served by issuing the new Off-Sale Beer and Wine license to Robin Elizabeth Watt-Gorley, for the Casmalia General Store located at 3401 Pt. Sal Road, Apartment 3 in Casmalia, Fourth District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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-25) PROBATION[11-00381](#)

Adopt a Resolution authorizing the Chief Probation Officer to submit, execute, and accept the Juvenile Accountability Block Grant (JABG) in the amount of \$52,210.00 for the period of July 1, 2011 through June 30, 2012, from the California Corrections Standards Authority (CSA).

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

RESOLUTION NO. 11-208

The motion carried by the following vote.

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

A-26) PROBATION[11-00383](#)

Consider recommendations regarding an Application to pursue Eleventh Year Allocation Funding under the Juvenile Justice Crime Prevention Act, as follows:

- a) Authorize the Chief Probation Officer, as the lead agent, to submit the Application for Approval to the Corrections Standards Authority (CSA) in order to utilize Eleventh Year funding in the amount of \$991,491.00 allocated to Santa Barbara County under the Juvenile Justice Crime Prevention Act (JJCPA), from July 1, 2011, through June 30, 2012; and
- b) Assure that the County will adhere to the CSA's Contract terms and statutory requirements, participate in the collection of the required data, and use grant funding to supplement and not supplant existing programs.

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

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

The motion carried by the following vote.

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

A-27) PUBLIC WORKS11-00314

Consider recommendations regarding the construction of 2010/1011 Countywide Preventive Maintenance Application of Scrub Seal and Micro-Surfacing, County Project No. 820621, as follows:

- a) Approve the plans and specifications for the construction of 2010/2011 Countywide Preventive Maintenance Application of Scrub Seal and Micro-Surfacing;
- b) Award the Construction Contract in the amount of \$3,218,326.50 to the lowest responsible bidder, Windsor Fuel Company, Inc (not a local vendor), P.O. Box 1029 Pittsburg, CA 94565-1029, subject to the provision of documents and certifications as set forth in the plans and specifications applicable to the project, as required under California Law;
- c) Approve and authorize the Chair to execute the Construction Contract, upon return of the Contractor's executed contract documents, and the review and approval of the County Counsel, Auditor-Controller and Risk Manager or their authorized representatives; and
- d) Approve contingency funds in the amount of \$173,416.33 for the construction of 2010/2011 Countywide Preventive Maintenance Application of Scrub Seal and Micro-Surfacing.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Continued, as follows: May 17, 2011 on the Administrative Agenda. The motion carried by the following vote.

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

A-28) PUBLIC WORKS[11-00380](#)

Adopt a Resolution authorizing the filing of a \$1,629,846.00 claim with the Santa Barbara County Association of Governments (SBCAG) for an allocation of Transportation Development Act (TDA) funds for Fiscal Year 2011/2012.

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

RESOLUTION NO. 11-209

The motion carried by the following vote.

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

A-29) PUBLIC WORKS[11-00385](#)

Consider recommendations regarding the Reconstruction of a Portion of Harris Grade Road HR3 Project, Federal Project No. HRRRL-5951(115), County Project No. 862273, Fourth District, as follows:

a) Accept the Notice of Completion for the reconstruction of a portion of Harris Grade Road for work performed by the Contractor, Rockwood General Contractors, Inc. (not a local vendor), Post Office Box 1529, Nipomo, California 93444; and

b) Approve and authorize the Chair to execute the Statement of Final Quantities for the Reconstruction of a Portion of Harris Grade Road HR3 Project for work performed and materials supplied by Rockwood General Contractors in the amount of \$295,605.51.

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

a) Accepted; and

b) 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-30) PUBLIC WORKS11-00386

Consider recommendations regarding the Construction of Santa Rosa Road and Removal of Bridge No. 51C-173, Federal Project No. BRLSZD-5951 (095), County Project No. 863038, Third District, as follows:

- a) Approve plans and specifications for the Construction of Santa Rosa Road and Removal of Bridge No. 51C-173;
- b) Award the Construction Contract in the amount of \$854,060.00 to the lowest responsible bidder, Souza Engineering Contracting, Inc (not a local 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, as required under California Law;
- c) Approve and authorize the Chair to execute the Construction Contract, upon return of the Contractor's executed contract documents, and the review and approval of the County Counsel, Auditor-Controller and Risk Manager or their authorized representatives; and
- d) Approve a contingency fund of \$55,203.00 for the Construction of Santa Rosa Road and Removal of Bridge No. 51C-173.

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

- a) Approved;**
- b) Awarded; and**
- c) and d) Approved.**

The motion carried by the following vote.

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

A-31) PUBLIC WORKS

11-00387

Consider recommendations regarding Parking Restrictions on Patterson Road and Bradley Road, Fourth District, as follows:

- a) Adopt a Resolution to rescind Resolutions No. 23498, 89-664, 91-127 and 03-292 establishing a crosswalk, no parking zones and a passenger loading zone on Patterson Road and Bradley Road in the Orcutt area;
- b) Adopt Resolutions establishing a passenger loading zone and no parking zones on Patterson Road and Bradley Road in the Orcutt area; and
- c) 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 work to implement these Resolutions.

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

a) Adopted;

RESOLUTION NO. 11-210

b) Adopted; and

**RESOLUTION NO. 11-211
RESOLUTION NO. 11-212
RESOLUTION NO. 11-213**

c) Approved.

The motion carried by the following vote.

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

A-32) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [11-00344](#)

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

Consider recommendations regarding the Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Lower Mission Creek Flood Control and Restoration Project, Construction of Reach 1A, Phase 1, First District, as follows:

- a) Certify that the Board, acting as a Responsible Agency, has considered the environmental effects of the EIS/EIR for the Lower Mission Creek Flood Control Project, appendices and technical studies pursuant to the California Environmental Quality Act (CEQA) Section 15096(f);
- b) Certify that the Board, acting as a Responsible Agency, has reviewed and considered the information contained in the Final EIS/EIR for the Lower Mission Creek Flood Control Project, appendices and technical studies, and adopts the CEQA Findings and Statement of Overriding Considerations pursuant to CEQA Section 15091 as required by Section 15095(h);
- c) Award the Construction Contract for the Lower Mission Creek Flood Control and Restoration Project, Reach 1A, Phase I in the amount of \$2,609,161.00 to the lowest responsible bidder Lash Construction, Inc. (a local vendor), subject to the provisions of documents and certifications, as set forth in the plans and specification applicable to the project and as required by law;
- 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 the County Counsel, Auditor-Controller, and Risk Manager or their authorized representatives;
- e) Approve a contingency in the amount of \$142,958.05 for the above subject project;
- f) Approve plans and specifications for the project;
- g) Approve and authorize the Chair to execute the Agreement with Fugro West, Inc. (a local vendor) for construction inspection services for the Lower Mission Creek Flood Control and Restoration Project, Reach 1A, Phase I in the amount of \$288,200.00 for the period of May 3, 2011 through June 30, 2012;
- h) Authorize a 15% contingency in the amount of \$43,230.00 with Fugro West, Inc. for additional work that may be needed to complete work for the project; and
- i) Authorize the Chair of the Board of Directors to accept the Nonexclusive Easement Deed from Antonio R. Romasanta for flood control improvements located on a portion of 28 West Cabrillo, County APN 033-102-002, by authorizing the Clerk of the Board to execute the Certificates of Acceptance.

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

- a) and b) Certified;
- c) Awarded;
- d) Approved; Chair to execute;
- e) and f) Approved;
- g) Approved; Chair to execute; and
- h) and i) Authorized.

The motion carried by the following vote.

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

A-33) SHERIFF

[11-00384](#)

Approve and authorize the Chair to execute the Amendment No. 3 to the Agreement with TriTech Software Systems (not a local vendor) which extends the annual maintenance agreement for the Computer Aided Dispatch (CAD) system through March 2012 for a cost of \$145,159.01. (4/5 Vote Required)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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

Board of Supervisors**A-34) SUPERVISOR FARR [11-00371](#)**

Approve the reappointment of Julie Kessler Solomon to the Human Services Commission, term ending June 30, 2014, Third District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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-35) SUPERVISOR LAVAGNINO [11-00361](#)

Approve the reappointment of Bonnie Royster to the Civil Service Commission, term ending May 1, 2015, Fifth District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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-36) PARKS [11-00364](#)**

Set hearing to provide direction to the Parks Department regarding Santa Barbara County Park's Beach Parking Fees.

(Set hearing for 5/17/11. Time estimate 1 hour.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: May 17, 2011 in Santa Barbara (EST. TIME: 1 HR.). The motion carried by the following vote.

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

A-37) PUBLIC WORKS[11-00388](#)

Set hearing to consider recommendations regarding the Road Maintenance Annual Plan Fiscal Year 2011/2012, as follows:
(Set hearing for 6/7/11. Time estimate 30 minutes.)

- a) Adopt the Fiscal Year 2011/2012 Road Maintenance Annual Plan (RdMAP);
- b) Approve the funded projects listed for the Maintenance Program (County Forces) and the Surface Treatment Program (Contracts/County Forces) within the Road Maintenance Annual Plan;
- c) Approve the filing of a Notice of Exemptions pursuant to the County's California Environmental Quality Act (CEQA) Guidelines Section 15301(c), pertaining to operations and maintenance of existing facilities for the above; and
- d) Authorize the Director of Public Works to advertise the projects contained within the Fiscal Year 2011/2012 Road Maintenance Annual Plan.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 7, 2011 in Santa Barbara (EST. TIME: 30 MIN.).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: 9:15 A.M. - 9:28 A.M. - 1:36 P.M. - 1:45 P.M. (22 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, to Approve the Administrative Agenda as Amended. The motion carried by the following vote.

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

11-00063

Board Member Reports

HEARING TIME: 9:29 A.M. - 9:40 A.M. (11 MIN.)

RE: Reported attending the press conference held at St. Marks Episcopal Church on "Common Ground-Point in Time" regarding the homeless and praised the honor of Nurses and Nurses Week - Third District Supervisor Doreen Farr Addressed the Board.

RE: Attended "Partnership in Education Breakfast", Arroyo Burro Beach Art Show, Sister City (with Puerto Vallarta) Friendship Dinner, Economic Showcase at UCSB, Los Robles graduation ceremony, Santa Barbara Food Bank event, La Cumbra Junior High Foundation dinner, Train Day Press Conference, the Mesa Spring Day Festival, Carpinteria Artists Festival, Sedgewick Ranch event, CERT luncheon and National Charity League "Tick Tocker" Event which honored South Coast high school senior young ladies and their community service hours - Second District Supervisor Janet Wolf Addressed the Board.

RE: Attended Los Prietos Boys' Camp graduation 2011, the Economic Showcase at UCSB and the Visiting Nurses Mothers Day celebration - First District Supervisor Salud Carbajal Addressed the Board.

RE: Toured North County Fire Stations with Fire Chief Michael Dyer and the new 50 bed jail facility with Sheriff Brown, attended the Santa Maria Elks Citizen and Student of the Year Awards event, the national day of prayer at Park Plaza, Economic Forecast Day at Waller Park, visited the Reagan Library in Simi Valley and announced the open house for the Fifth District North County Offices on May 12 from 4-6 p.m. - Fifth District Supervisor Steve Lavagnino Addressed the Board.

RE: Remarked on technological advancements made in the presentation of meetings of the Board of Supervisors, reported on CSAC meeting in Sacramento, attended parade of Rancho Vistadores and North County Sports Round Table event - Fourth District Supervisor Joni Gray Addressed the Board.

11-00001

Public Comment

HEARING TIME: 9:41 A.M. - 10:20 A.M. (39 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: Announced the beginning of National Nurses Week and the birthday of Florence Nightingale - Dr. Takashi Wada, Director and Sandra Copley, Public Health Nurse, County Public Health Department Addressed the Board.

Re: Addus Healthcare Elder provider - Clara McDonald, Cesar Chavez, Stephanie Eppert, Daryl West, Gwen Wood and Yesenia De Casaus Addressed the Board.

Re: Valley Compost & Topsoil, Inc. - Lissa Landry Addressed the Board.

Re: Turtle Protection, Global Climate Changes - Geof Bard Addressed the Board.

Re: Elder Abuse - Lynn Wendred, Judith Evered, Bryan Rosen and Patricia Rosen Addressed the Board.

Re: Request for Report Back on County Protocols for Emergency Search and Rescue Responses - Fourth District Supervisors Joni Gray Addressed the Board.

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Re: Request for Report Back on County Protocols for Emergency Search and Rescue Responses - Fourth District Supervisors Joni Gray Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) TREASURER-TAX COLLECTOR [11-00365](#)

HEARING - Receive and file the Fiscal Year 2010/2011 Third Quarter (January 2011 through March 2011) report on the Treasurer’s Investment Pool, pursuant to Government Code section 53646(b). (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 10:36 A.M. - 10:55 A.M. (19 MIN.)

Conducted public hearing.

A motion was made by Supervisor Farr, seconded by Supervisor Lavagnino, that this matter be Received and filed.

The motion carried by the following vote.

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

2) AUDITOR-CONTROLLER, GENERAL SERVICES, 11-00377
TREASURER-TAX COLLECTOR

HEARING - Consider recommendations regarding a presentation on the County's use of Debt for Capital Projects and Proposed Project Substitutions for Certificates of Participation issued in 2005 and 2010, as follows: (EST. TIME: 30 MIN.)

a) Receive and file a presentation on the County's historical and current use of debt to invest in capital projects;

b) Approve sending a letter to the California Debt Limit Allocation Committee (CDLAC) that requests permission to transfer previously issued Recovery Zone Economic Development Bonds (RZEDBs) for the Betteravia Administration Buildings to the Public Defender Remodel and the Emergency Operation Center project (EOC) with the remainder to be spent on remodeling and expanding Betteravia Administration Building "D". Upon approval from CDLAC, authorize the transfer of RZEDBs as described in the letter;

c) Upon approval from CDLAC for Recommendation b), substitute and reallocate approximately \$2.8 million of the tax-exempt portion of the 2010 Certificates of Participation (COPs) issuance proceeds that was planned to be used for construction of the Public Defender Remodel project, the EOC, and a new administration building at the Betteravia Campus to the Tajiguas Landfill Liner project;

d) Substitute and reallocate approximately \$4.3 million of the unspent 2005 COP proceeds planned to be used for the Sheriff Technical Services Building as follows:

i) Approximately \$1,825,000.00 to complete the land purchase for the proposed North County Jail;

ii) Approximately \$1,175,000.00 to the Kitchen Sewer Replacement Project at the Main Jail in Goleta;

iii) Approximately \$1,100,000.00 to initiate Phase I of a project to replace the heating ventilation and air conditioning equipment (HVAC) in the Santa Barbara Courthouse; and

iv) Approximately \$200,000.00 to fund 1/3 of the cost to refurbish the Courthouse elevator;

e) Approve the use of approximately \$500,000.00 in unspent 2005 COPs project funds from the Lompoc Fire/Sheriff Substation project and the Isla Vista Foot Patrol project for General Fund debt service on the 2005 COPs in Fiscal Year 2011/2012; and

f) Determine that the above actions are government funding mechanisms and/or fiscal activities that are not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:57 A.M. - 11:57 A.M. (1 HR.)

Conducted public hearing.

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

- a) Received and filed;**
- b) Approved;**
- c) Authorized;**
- d) and e) Approved; and**
- f) Determined.**

The motion carried by the following vote.

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

- 3) COUNTY EXECUTIVE OFFICE, OFFICE OF EMERGENCY SERVICES HEARING 11-00360 - Consider recommendations regarding a Nuclear Regulatory Commission (NRC) update and report from Pacific, Gas and Electric (PG&E) on the Diablo Nuclear Power Plant, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file a brief status report from County staff regarding a letter to the NRC; and
- b) Receive and file a report from PG&E staff regarding the Diablo Nuclear Power Plant, PG&E relicensing process, planned actions to confirm the seismic safety of the Diablo Nuclear Power Plant and any immediate lessons learned from the Fukushima disaster in Japan.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:58 A.M. - 12:59 P.M. (61 MIN.)

Conducted public hearing.

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

a) and b) Received and filed presentations.

Directed staff to coordinate with Pacific Gas and Electric and schedule a follow up hearing for a presentation on additional issues related to Diablo Canyon including but not limited to emergency response preparedness, evacuation scenarios, potential environmental impacts to soil, water and agricultural interests as well as management plans for multiple "events" at the plant. Further directed staff to prepare a resolution for consideration by the Board related to the relicensing process similar to that adopted by San Luis Obispo County.

The motion carried by the following vote.

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

4) PLANNING AND DEVELOPMENT11-00015

HEARING - Consider recommendations regarding an Ordinance Amending Chapter 25, Petroleum Code, as follows: (EST. TIME: 1 HR.)

- a) Receive and file a staff report regarding outreach to stakeholders regarding potential amendments to the Petroleum Code as it relates to the ongoing regulation of High Risk Operations; and
- b) Direct staff to return to the Board of Supervisors on July 12, 2011 with a draft Ordinance Amendment, as outlined, to:
 - i) Amend the High Risk Operation Definition (a);
 - ii) Amend the High Risk Operation Definition (b);
 - iii) Amend the Remediation Requirements for High Risk Operations; and
 - iv) Make other minor amendments as necessary to effectively enforce the Petroleum Code.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:45 P.M. - 2:07 P.M. (22 MIN.)

Conducted public hearing.

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

- a) Received and filed staff presentation.**
- b) i - iv) Directed staff to return on July 12, 2011 in Santa Maria with a draft Ordinance Amendment for consideration by the Board**

The motion carried by the following vote.

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

5) PLANNING AND DEVELOPMENT

11-00227

HEARING - Consider recommendations regarding the Evans Appeal of the Planning Commission’s approval of 98-DP-023 (06APL-00000-00039); APNs. 107-560-001 through 107-560-033 located east of Hummel Drive and south of Foster Road in the existing development of Northpoint Village, Fourth District, as follows: (EST. TIME: 1 HR. 15 MIN.)

- a) Make the required findings for the project, including CEQA findings;
- b) Adopt the Addendum for the previously certified Environmental Impact Report 78-EIR-9 and Supplemental Document 92-SD-2 and adopt the mitigation monitoring program contained in the conditions of approval;
- c) Uphold the appeal and grant de novo approval of Case No. 98-DP-023 subject to conditions, including changed condition 13.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 2:09 P.M. - 3:09 (1 HR.)

Received and filed staff presentation and conducted public hearing.

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

- a) Adopted required findings for the project including CEQA findings found in the Planning Commission Action Letter dated September 8, 2010.**
- b) Adopted.**
- c) Denied the appeal and approved the project with the original Condition 13 as recommended by the Planning Commission.**

The motion carried by the following vote.

- Ayes:** 4 - Supervisor Carbajal, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino
- Noes:** 1 - Supervisor Wolf

Adjourned at 3:10 PM

The Board of Supervisors Adjourned the Meeting of May 10, 2011 in Honor of Josephine Van Schaick of Santa Barbara.

Adjourned to

May 17, 2011

County Administration Building
Board Hearing Room
105 East Anapamu Street , Fourth Floor
Santa Barbara

Announcements

The meeting of Tuesday, May 10, 2011 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, May 12, 2011, at 5:00 PM and on Saturday, May 14, 2011, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>