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

Agenda

Tuesday, February 15, 2011 9:00 AM

BETTERAVIA GOVERNMENT CENTER BOARD HEARING ROOM 511 EAST LAKESIDE PARKWAY, SANTA MARIA

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, Redevelopment Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: www.countyofsb.org

Persons may address the Board of Supervisors in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Betteravia Government Center, Board Hearing Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.

Board Meeting Procedures

The Board of Supervisors is the legislative body for the County of Santa Barbara. Persons are encouraged to attend and testify before the Board on any matter appearing on the agenda. Correspondence to the Board regarding items appearing on the agenda should be directed to the Clerk of the Board, 105 East Anapamu Street, Room 407, Santa Barbara CA 93101. For information regarding the meetings of the Board of Supervisors including specific meeting times contact the Clerk of the Board at (805) 568-2240. Procedures for the conduct of the meetings of the Board of Supervisors can be found in Board Resolutions 09-368 (General) and 91-333 (Land Use).

The schedule of the Board of Supervisors, meeting agendas, supplemental hearing materials and minutes of the Board meetings are available on the Internet at: www.countyofsb.org

Board Meetings are televised live on County of Santa Barbara TV channel 20. For information about obtaining a videotape of a public hearing or a schedule of CSBTV broadcasts please call (805) 568-3427.

Late Distribution

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to all or a majority of the members of the Board of Supervisors less than 72 hours prior to that meeting are available for inspection in the Clerk of the Board Office, 105 East Anapamu Street, Room 407, Santa Barbara, CA, at the Office of the Board of Supervisors, Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, CA and on the Internet at: http://santabarbara.legistar.com/Calendar.aspx#current.

Disability Access

The Board of Supervisors Hearing Room in Santa Barbara is located on the Fourth Floor of the County Administration Building, 105 East Anapamu Street. The Hearing Room is wheelchair accessible. Accessible public parking is available behind the County Administration Building and in City Parking Lot #6 located at the corner of Anacapa Street and Anapamu Street.

The Board of Supervisors Hearing Room in Santa Maria is located at the Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria. The Hearing Room is wheelchair accessible. Accessible public parking is available at the Betteravia Government Center.

American Sign Language interpreters, Spanish language interpretation and sound enhancement equipment may be arranged by contacting the Clerk of the Board of Supervisors by 4:00 p.m. on Friday before the Board meeting. For information about these services please contact the Clerk of the Board at (805) 568-2240.

Closed Session

The Board of Supervisors conducts a Closed Session every Tuesday between 8:00 A.M. and 9:00 A.M. and between 1:00 P.M. and 2:00 P.M. as necessary. Closed Sessions are not open to the public. Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Actions taken by the Board during Closed Session will be announced during open session (Gov. Code Sections 54957.1(a) & (b), Ralph M. Brown Act). The Closed Session agenda is posted as an addendum to the Board's agenda each Friday in the Office of the Clerk of the Board. For information related to Closed Session announcements please contact County Counsel at (805) 568-2950.

7:50 A.M. Convene and Recess to Closed Session

9:00 A.M. Reconvene to Regular Session

Roll Call

Pledge of Allegiance

Report from Closed Session

COUNTY COUNSEL 11-00040

Closed Session Agenda

Approval of Minutes of the February 1, 2011 Meeting

Administrative Agenda

All matters listed hereunder constitute a consent agenda, and will be acted upon by a single roll call vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board or the public, in which event the matter shall be removed from the administrative agenda and considered as a separate item.

Honorary Resolutions

A-1) SUPERVISOR CARBAJAL, SUPERVISOR WOLF

11-00120

Adopt a Resolution of Commendation honoring Dr. Nancy Leffert upon her inauguration as President of Antioch University, Santa Barbara.

Administrative Items

A-2) AUDITOR-CONTROLLER

11-00111

Receive and file the County of Santa Barbara's Single Audit Report for the Fiscal Year ended June 30, 2010.

A-3) <u>AUDITOR-CONTROLLER</u>

11-00131

Approve and authorize the Chair to execute Amendment No. 1 to the Contract with Brown Armstrong Paulden McCown Starbuck Thornburgh & Keeter Accountancy Corporation (not a local vendor) in the amount of \$148,400.00 to perform the County's Fiscal Year 2010/2011 financial audit and Single Audit, and the First 5 Commission's Fiscal Year 2010/2011 financial audit, and the Redevelopment Agency's (RDA) Fiscal Year 2010/2011 financial and compliance audits.

A-4) COUNTY COUNSEL

11-00117

Adopt a Resolution regarding the 2010-2011 Biennial Amendments to the Santa Barbara County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts (Single Code), which update the agencies/positions that are required to report and/or the disclosure categories for the public officials associated with the various County Agencies that are included in the Single Code.

A-5) COUNTY COUNSEL

11-00118

Approve the proposed amendments to the Conflicts of Interest Code of the Santa Maria Joint Union High School District.

A-6) COUNTY EXECUTIVE OFFICE

11-00155

Consider amending the 2011 meeting schedule of the Board of Supervisors by changing the location of the March 1, 2011 meeting from Santa Barbara to Santa Maria, and changing the location of the March 15, 2011 meeting from Santa Maria to Santa Barbara.

A-7) COUNTY EXECUTIVE OFFICE

11-00151

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

A-8) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

11-00152

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

A-9) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT

11-00153

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

A-10) GENERAL SERVICES

11-00130

Consider recommendations regarding the acceptance of an offer to purchase surplus equipment, as follows:

- a) Accept the highest public auction offer to purchase two (2) pieces of surplus heavy equipment with an established minimum net sales value of \$120,000.00; and
- b) Authorize the Purchasing Manager to prepare Bills of Sale and complete these transactions.

A-11) PLANNING AND DEVELOPMENT

11-00126

Approve and authorize the Chair to execute Amendment No. 4 to Kroll Ontrack's existing applicant-funded Contract for assembling the administrative record for Santa Barbara Ranch, to increase the amount by \$25,000.00 and extend the end date to June 30, 2011.

A-12) PLANNING AND DEVELOPMENT

11-00133

Approve the setting of 2011 window dates for acting on proposed Land Use Element and submitting Local Coastal Program Amendments to the Coastal Commission, as follows:

- a) February 15, June 7, July 12, and November 1, 2011 for proposed Land Use Element Amendments; and
- b) June 7, September 6, and November 1, 2011 for submittal of proposed Local Coastal Program amendments to the Coastal Commission.

A-13) <u>PROBATION</u> <u>11-00125</u>

Authorize the Chief Probation Officer to submit an application and execute the Grant Award Agreement for anticipated funding of the 2012 California Office of Traffic Safety (OTS) Grant in the amount of \$108,837.00 for the period covering October 1, 2011, to September 30, 2012.

A-14) PUBLIC WORKS

11-00121

Consider recommendations regarding a multi-way (4-way) stop control on California Boulevard at Clubhouse Drive in the Orcutt area, Fourth District, as follows:

- a) Adopt a Resolution rescinding Resolution 95-207, which established a multi-way (4-way) stop control on California Boulevard at Clubhouse Drive; and
- b) Approve the filing of a Notice of Exemption for this project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (c), pertaining to maintenance and operation of existing facilities.

A-15) PUBLIC WORKS

<u>11-00123</u>

Consider recommendations regarding San Marcos Road storm damage repair at Mile Post 0.7, County Project No. 862299, Federal Project No. ER-4200 (003), Second District, as follows:

- a) Accept the Notice of Completion for the work performed by the contractor, R. Burke Construction, (not a local vendor), PO Box 957, San Luis Obispo, CA 93406; and
- b) Approve and authorize the Chair to execute the Statement of Final Quantities for work performed and materials supplied for this project by the contractor in the amount of \$161,372.40.

A-16) PUBLIC WORKS

11-00113

Consider recommendations regarding the proposed vacation of a portion of the Point Sal Road Right-of-Way, Fourth District, as follows:

- a) Approve and authorize the Chair to execute the Resolution; Summary Order to Vacate a Portion of a County Road know as Point Sal Road pursuant to Streets and Highway Code, Sections 892, 8330, 8334, and 8340 Et. Seq. regarding the vacation of a portion of the Point Sal Road right-of-way, located on APNs 113-160-014, 113-160-015, 113-170-001, 113-170-002, and 095-020-001 in the unincorporated area of Santa Barbara County near the City of Guadalupe;
- b) Find that the proposed vacation is exempt under California Environmental Quality Act (CEQA) guidelines, Section 15301(c), which applies to projects involving negligible or no expansion of existing facilities and direct staff to file the Notice of Exemption; and
- c) Direct the removal of the vacated portion of Point Sal Road from the County's maintained road system.

A-17) PUBLIC WORKS

11-00122

Consider recommendations regarding construction of 2010/2011 Proposition 1B Hot Mix Asphalt Overlay, County Project No. 810538, First, Second and Third Districts, as follows:

- a) Approve the plans and specifications for construction of 2010/2011 Proposition 1B Hot Mix Asphalt Overlay, County Project No. 810538;
- b) Approve the award of a Construction Contract in the amount of \$1,217,938.42 to the lowest responsible bidder, Granite Construction Company (a local vendor with an office in Goleta), P.O. Box 50085, Watsonville, CA 95077-50085, 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 \$73,396.92 for construction of 2010/2011 Proposition 1B Hot Mix Asphalt Overlay.

A-18) PUBLIC WORKS

11-00124

Adopt a Resolution in support of the County of Santa Barbara's application for funding from the California Department of Forestry and Fire Protection's Urban Forestry Grant Program for Fiscal Year 2010/2011.

A-19) PUBLIC WORKS

11-00132

Consider recommendations regarding the Final Map of Tract No. 14,740, Hummel Village Phase II Condo Conversion, Fourth District, as follows:

- a) Approve and authorize the Chair to execute an Agreement to Provide for The Hummel Village Phase II Condo Conversion and direct its recordation; and
- b) Upon approval of the Agreement to Provide, approve the Final Map of Tract No. 14,740.

A-20) SANTA BARBARA COUNTY EMPLOYEE'S RETIREMENT SYSTEM

11-00114

Order that no Special Election be held for Alternate Retired Member of the Board of Retirement, and direct the clerk to cast a unanimous ballot in favor of the sole nominated member.

A-21) AUDITOR-CONTROLLER

11-00110

Receive and file the Auditor-Controller's Report on the Statement of Assets of the Santa Barbara County Treasurer, as of December 31, 2010.

A-22) TREASURER-TAX COLLECTOR

11-00116

Consider recommendations regarding the Treasurer's Investment Pool, Fiscal Year 2010/2011 Second Quarter (October - December 2010), as follows:

- a) Receive and file the Fiscal Year 2010/2011 Second Quarter (October December, 2010) report on the Treasurer's Investment Pool, pursuant to Government Code section 53646(b); and
- b) Approve the Investment Policy Statement and authorize the County Treasurer to manage the investment pool in accordance with the policy, pursuant to sections 53646(a) and 53607 of the Government Code.

A-23) TREASURER-TAX COLLECTOR

<u>11-00127</u>

Adopt a Resolution authorizing the Santa Barbara Secondary/High School District to issue and sell General Obligation bonds directly, in accordance with Education Code 15140, in an amount not to exceed \$75,000,000.00.

A-24) TREASURER-TAX COLLECTOR

11-00128

Adopt a Resolution authorizing the Santa Barbara Elementary School District to issue and sell General Obligation bonds directly, in accordance with Education Code 15140, in an amount not to exceed \$35,000,000.00.

Board of Supervisors

A-25) SUPERVISOR CARBAJAL

11-00156

Approve the appointment of Alejandra Gutierrez to the Commission for Women, term ending August 1, 2013, First District.

A-26) SUPERVISOR FARR

11-00115

Approve the appointment of Michael Vellenkamp to the Mental Health Commission as an Alternate Member, term ending June 30, 2012, Third District.

A-27) SUPERVISOR GRAY

11-00154

Approve the appointment of Michael Cooney to the Law Library Board of Trustees as Proxy for the Ex-Officio Board of Supervisors Appointee, term ending December 31, 2011, Fourth District.

A-28) SUPERVISOR LAVAGNINO

11-00137

Approve the reappointment of Jared M. Hurley to the Board of Architectural Review - North County, term ending December 31, 2014, Fifth District.

A-29) SUPERVISOR LAVAGNINO

11-00138

Approve the reappointment of Bailey Hudson to the Park Commission, term ending December 31, 2011, Fifth District.

A-30) SUPERVISOR LAVAGNINO

11-00139

Approve the appointment of John R. Tunnell to the Santa Maria Cemetery District Board, term ending December 31, 2012, Fifth District.

A-31) SUPERVISOR LAVAGNINO

11-00140

Approve the reappointment of Barry Stotts to the Riding and Hiking Trails Committee, open term, Fifth District.

A-32) SUPERVISOR LAVAGNINO

11-00141

Approve the reappointment of Kevin Small to the Board of Architectural Review - North County, term ending December 31, 2014, Fifth District.

A-33) SUPERVISOR LAVAGNINO

11-00142

Approve the reappointment of Bonnie Royster to the Civil Service Commission, term ending May 1, 2011, Fifth District.

A-34) SUPERVISOR LAVAGNINO

11-00143

Approve the reappointment of Coleman Lucas to the Santa Maria Cemetery District Board, term ending December 31, 2014, Fifth District.

A-35) <u>SUPERVISOR LAVAGNINO</u>

11-00144

Approve the reappointment of Linda Tunnell to the Riding and Hiking Trails Committee, open term, Fifth District.

A-36) SUPERVISOR LAVAGNINO

11-00145

Approve the reappointment of Dorothy M. Laine to the Agricultural Advisory Committee, open term, Fifth District.

A-37) <u>SUPERVISOR LAVAGNINO</u>

11-00146

Approve the reappointment of Frank C. Freitas to the Riding and Hiking Trails Committee, open term, Fifth District.

A-38) SUPERVISOR LAVAGNINO

11-00147

Approve the reappointment of Lino "Lee" A. Diaz to the Santa Maria Cemetery District Board, term ending December 31, 2011, Fifth District.

A-39) SUPERVISOR LAVAGNINO

11-00148

Approve the reappointment of Gil V. Palacios to the Board of Architectural Review - North County, term ending December 31, 2014, Fifth District.

A-40) SUPERVISOR LAVAGNINO

11-00149

Approve the appointment of Mark H. Evans to the Santa Maria Cemetery District Board, term ending December 31, 2014, Fifth District.

Hearing Requests

A-41) PARKS <u>11-00129</u>

Set hearing to consider recommendations regarding Amendments to Chapter 26 of the County Code, as follows:

(Set hearing for 3/1/11. Time estimate 10 minutes.)

- a) Consider the introduction (first reading) of an Ordinance amending Chapter 26 of the County Code to clarify various uses at county parks and adopt new uses at Cachuma Lake Recreation Area consistent with the Resource Management Plan recently completed by the Bureau of Reclamation; and
- b) Set hearing for March 15, 2011 on the Administrative Agenda to consider recommendations as follows:
- i) Consider the adoption (second reading) of an Ordinance amending Chapter 26 of the County Code; and
- ii) Upon adoption, approve a Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines, Section 15061(b) (3), finding that the Ordinance is not subject to CEQA because of the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and further find that there is no possibility that the enactment of the Ordinance may have a significant effect on the environment.

Approval of Administrative Agenda

Board Member Reports

Public Comment Period

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (11-00001)

WHEN TESTIFYING BEFORE THE BOARD OF SUPERVISORS, PERSONAL ATTACKS AND OTHER DISRUPTIVE BEHAVIOR ARE NOT APPROPRIATE.

<u>Departmental Agenda</u> <u>Planning Items and Public Hearings</u>

Department requests continuance of Departmental Item No. 1) to March 1, 2011

1) COUNTY EXECUTIVE OFFICE

10-01073

HEARING - Receive and file an initial overview of the 2011 Redistricting process and provide direction to staff as appropriate.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 3/1/11

Depatmental Item No. 2) Time Certain - 10:00 A.M.

2) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

11-00112

HEARING - Receive and file a report and recommendations from the Retirement Board Program Alternatives Advisory Commission. (EST. TIME: 2 HRS.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) COUNTY EXECUTIVE OFFICE

11-00150

HEARING - Direct staff to communicate the Board of Supervisors' position on the Fiscal Year 2011/2012 proposed State budget and the proposed special election to the Governor and the County of Santa Barbara's State legislative delegation. (EST. TIME: 5 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

4) LOCAL AGENCY FORMATION COMMISSION

11-00119

HEARING - Appoint one member of the Board of Supervisors to the Local Agency Formation Commission (LAFCO) for a term of office from March 1, 2011 through March 1, 2015. (EST. TIME: 10 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

5) <u>GENERAL SERVICES</u>

11-00087

HEARING - Determine whether or not to proceed with construction of the Betteravia Administration Building, Project No. 8676, Fifth District, as follows: (EST. TIME: 30 MIN.)

- a) If the Board elects to proceed with construction of the building, then consider the following recommendations:
- i) Award a Fixed Price Construction Contract in the amount of \$4,695,000.00 to the lowest responsible bidder, Maino Construction Company Inc., San Luis Obispo, CA, (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;
- ii) 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
- iii) 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; or
- b) If the Board elects not to proceed with construction of the building, then consider the following recommendations:
- i) Reject all bids received for construction of the Betteravia Administration Building;
- ii) Direct the Chief Executive Officer, Treasurer, Auditor-Controller, County Counsel, and General Service Director to determine appropriate project substitutions for the Certificates of Participation and reallocation of Recovery Zone Economic Development Bonds that were issued for the project that are in accordance with applicable laws and requirements of using those funding sources and return to your Board with recommendations; and
- iii) Officially name the Betteravia Administration Building "D" the Joseph Centeno Betteravia Government Administration Building.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

6) COUNTY EXECUTIVE OFFICE

11-00136

HEARING - Allocate \$260,580.00 for the Gaviota Coast Plan and \$69,559.00 for the Santa Claus Lane Project in General Allocation funds for the 2011 Coastal Resource Enhancement Fund (CREF) cycle. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

7) PLANNING AND DEVELOPMENT

11-00032

HEARING - Consider recommendations regarding the Los Alamos Community Plan, as follows: (EST. TIME: 1 HR.)

- a) Make the appropriate Findings, Statement of Overriding Considerations, and adopt the Mitigation Monitoring and Reporting Plan supporting the Board's final action in adopting the Los Alamos Community Plan Update;
- b) Certify the Final Environmental Impact Report (08EIR-05) including the EIR Revision Letter dated March 8, 2011;
- c) Adopt the Los Alamos Community Plan dated February 2011;
- d) Adopt a Resolution approving specific amendments to the Land Use Element of the Santa Barbara County Comprehensive General Plan by adoption of the Los Alamos Community Plan;
- e) Adopt a Resolution approving an Ordinance amending Section 35-1 of Chapter 35 of the County Code, the Santa Barbara County Land Use and Development Code; and approving a zoning map amendment to zoning and zoning overlay maps applicable to the Los Alamos Community Plan area; and
- f) Adopt a Resolution approving amendments to the Los Alamos Bell Street Design Guidelines.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Adjourn to

March 1, 2011

Betteravia Government Center Board Hearing Room 511 East Lakeside Parkway Santa Maria

Challenges

IF YOU CHALLENGE A DETERMINATION MADE ON A MATTER ON THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE BOARD OF SUPERVISORS AT, OR PRIOR TO, THE PUBLIC HEARING.

Announcements

The meeting of Tuesday, February 15, 2011 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 17, 2011, at 5:00 PM and on Saturday, February 19, 2011, at 10:00 AM on CSBTV Channel 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY FEBRUARY 22, 2011. THE NEXT REGULAR MEETING OF THE BOARD OF SUPERVISORS WILL BE ON TUESDAY, MARCH 1, 2011 IN SANTA MARIA.

http://www.countyofsb.org