

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, July 5, 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.

9:00 A.M. Convened to Regular Session

Roll Call

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

Pledge of Allegiance

Approval of Minutes of the Budget Hearings of June 13, 2011, June 15, 2011, June 16, 2011 and June 17, 2011

Approval of Minutes of the Special Hearing of June 14, 2011

Approval of Minutes of the Special Hearing of June 16, 2011

Approval of Minutes of the Regular Meeting of June 21, 2011

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

County Counsel reported, that by unanimous vote, the Board took the following action:

In the matter of Browe v. County of Santa Barbara, WCAB Case No. ADJ716370, the Board approved settlement of all claims and any future claims in the amount of \$112,000.00.

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

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 11:30 A.M.

A-1) SUPERVISOR FARR [11-00545](#)

Adopt a Resolution proclaiming the month of July 2011 as Parks and Recreation Month in Santa Barbara County.

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

RESOLUTION NO. 11-256

The motion carried by the following vote.

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

A-2) SUPERVISOR GRAY [11-00544](#)

Adopt a Resolution of Commendation honoring the Electronic Health Record (EHR) Core Project Team, consisting of Gail Johnson, Dr. Peter Hasler, Darrin Eisenbarth, Jaclyn Neilson, Kim Loyst, Janice Vail, Nancy Leidelmeijer, and Cormac O'Brien, of the Public Health Department as the July 2011 Santa Barbara County Employees of the Month.

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

RESOLUTION NO. 11-257

The motion carried by the following vote.

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

Administrative Items

A-3) COUNTY EXECUTIVE OFFICE [11-00533](#)

Consider recommendations regarding the Planning Commission’s General Plan Conformity Report for Fiscal Years 2011-2016 Capital Improvement Program, as follows:

- a) Receive and file the Planning Commission’s findings regarding the conformity to the General Plan of projects recommended for planning, initiation or construction during Fiscal Years 2011-2016; and
- b) Accept a Notice of Statutory Exemption for Fiscal Year 2011-2016 Five Year Capital Improvement Program.

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

- a) Received and filed; and**
- b) Accepted.**

The motion carried by the following vote.

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

A-4) DISTRICT ATTORNEY [11-00520](#)

Adopt a Resolution authorizing the District Attorney to renew the Criminal Restitution Compact with the State Victim Compensation and Government Claims Board for the Restitution and Recovery Program for the period of July 1, 2011 through June 30, 2012, in the amount of \$92,671.00.

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

RESOLUTION NO. 11-258

The motion carried by the following vote.

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

A-5) GENERAL SERVICES[11-00523](#)

Adopt a Resolution designating 22 exclusive-use parking spaces for judicial officers and executive court staff at the Cook and Miller Campus.

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

RESOLUTION NO. 11-259

The motion carried by the following vote.

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

A-6) GENERAL SERVICES[11-00542](#)

Consider recommendations regarding the acceptance of a gift from the Courthouse Legacy Foundation for the Santa Barbara Courthouse Spirit of the Ocean Fountain in the amount of \$731,000.00, First District, as follows: (4/5 Vote Required)

- a) Receive a refurbished Spirit of the Ocean Fountain in the net asset value amount of \$731,000.00 from the Santa Barbara Courthouse Legacy Foundation (a non-profit 501(c)3 corporation); and
- b) Approve a Budget Revision that accounts for the donation.

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

- a) Received; and
- b) Approved.

The motion carried by the following vote.

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

A-7) PARKS[11-00440](#)

Consider recommendations regarding Ordinance Amendments to allow enforcement of Chapter 26, Parks and Recreation Rules and Regulation and Chapter 37, Tobacco Control, through the Administrative Fine Process under Chapter 24A, as follows:

a) Consider the adoption (second reading) of an Ordinance amending Chapter 24A, Administrative Fines, of the County Code, to be effective 30 days from the date of adoption; and

b) Find that the proposed action is not a project within the meaning of CEQA, under 14 CCR 15378(b)(4), in that it involves the creation of a government funding mechanism or other fiscal activities which do not involve any commitment to any specific project, which may result in a potentially significant physical impact on the environment.

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

a) Adopted.

ORDINANCE NO. 4792

b) Approved.

The motion carried by the following vote.

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

A-8) PARKS[11-00495](#)

Consider recommendations regarding an Agreement with the Providence Landing Park Association for maintenance and operations of Providence Landing Park, Third District, as follows:

a) Approve and authorize the Chair to execute an Operator Agreement with the Providence Landing Park Association (a local vendor) to maintain and operate the Providence Landing Park, and

b) Authorize the Parks Director to amend the operating agreement with Providence Landing Park Association; and

c) Find that the project is exempt under State CEQA Guidelines Section 15301, existing facilities, which applies to projects involving negligible or no expansion of existing facilities.

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Continued, as follows: August 2, 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-9) PUBLIC HEALTH

[11-00536](#)

Consider recommendations regarding a Revenue Agreement with SEE International, Inc., as follows:

- a) Approve and authorize the Chair to execute a Revenue Agreement with SEE International, Inc. (a local vendor) for ophthalmology services through the Public Health Department for SEE International patients for the term July 5, 2012 through June 30, 2011 in an amount estimated to be up to \$18,720.00 annually; and
- b) Accept the donation of a retinal scanner from SEE International, Inc. for the care of County diabetic patients with a value of approximately \$24,000.00.

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

- a) **Approved; Chair to Execute; and**
- b) **Accepted.**

The motion carried by the following vote.

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

A-10) PUBLIC HEALTH[11-00537](#)

Consider recommendations regarding ongoing Grants and Contracts for the Public Health Department Fiscal Year 2011/2012, as follows:

a) Authorize the Public Health Director to execute the ongoing Contracts for: 19 Grant Agreements, 8 Revenue Contracts, 2 Contractors on Payroll and 10 Expenditure Contracts for the Public Health Department approved by the Board with the Fiscal Year 2011/2012 budget; and

b) Authorize the Public Health Director to execute any Amendments to the Contracts referred to above that are within 10% of the amount approved with the Fiscal Year 2011/2012 budget.

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

a) and b) Authorized.

The motion carried by the following vote.

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

A-11) PUBLIC HEALTH[11-00538](#)

Consider recommendations regarding the Cepheid Bid Waiver Request, as follows: (4/5 Vote Required)

a) Authorize the Purchasing Manager to issue a purchase order with Cepheid (not a local vendor) for the purchase of a GeneXpert System instrument in an amount not to exceed \$79,797.00 for Fiscal Year 2011/2012 without a competitive bid; and

b) Approve Budget Revision Request No. BJE 0001567 in the amount of \$79,797.00 to fund the purchase of the GeneXpert System for Fiscal Year 2011/2012.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, 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-12) PUBLIC WORKS[11-00422](#)

Approve the establishment of a no change benefit assessment rate for the North County Lighting District for Fiscal Year 2011/2012, Third, Fourth and Fifth Districts.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, 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-13) PUBLIC WORKS[11-00442](#)

Consider recommendations regarding the Isla Vista Sidewalk Improvement Project, County Project No. 862311, Third District, as follows:

a) Approve and authorize the Chair to accept an Easement Deed from Frances Holt Welton for the purchase of a right-of-way easement (sidewalk) over a portion of her property at 6561 Sabado Tarde in Isla Vista, APN 075-212-033, in connection with the Isla Vista Sidewalk Improvement Project, County Project No. 862311, by authorizing the Clerk of the Board to execute the Certificate of Acceptance; and

b) Approve and authorize the Chair to accept an Easement Deed from Frances Holt Welton for the purchase of a right-of-way easement (sidewalk) over a portion of her property at 6559 Sabado Tarde in Isla Vista, APN 075-212-034, in connection with the Isla Vista Sidewalk Improvement Project, County Project No. 862311, by authorizing the Clerk of the Board to execute the Certificate of Acceptance.

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

a) and b) Approved.

The motion carried by the following vote.

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

A-14) PUBLIC WORKS[11-00530](#)

Consider recommendations regarding the Quitclaim of a portion of unused fee - owned road right of way, Fourth District, as follows:

- a) Find that the Quitclaim of County fee property is exempt under California Environmental Quality Act (CEQA) guidelines Section 15312, pertaining to the sale of Government surplus property and minor alterations of existing facilities; and
- b) Approve and authorize the Chair to execute the Quitclaim with Reservations regarding the County's fee ownership of unused land between Highway 101 and APN 107-240-024, near the intersection of Cedarhurst and East Foster Road in the Orcutt area of the County of Santa Barbara.

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-15) PUBLIC WORKS[11-00531](#)

Consider recommendations regarding the Construction of El Colegio Roadway Improvements, Phase II, Public Works Project No. 864042, Third District, as follows:

- a) Accept the Notice of Completion for the El Colegio Roadway Improvements, Phase II, for work performed by the Contractor, Granite Construction, PO Box 50085, Watsonville, CA 95077; and
- b) Approve and authorize the Chair to execute the Statement of Final Quantities for the El Colegio Road Improvements, Phase II, for work performed and materials supplied by Granite Construction in the amount of \$2,247,133.54.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, that this matter be Acted on as follows:. The motion carried by the following vote.

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

A-16) PUBLIC WORKS[11-00539](#)

Consider recommendations regarding parking restriction changes on El Colegio Road and Camino Corto in Isla Vista, Third District, as follows:

- a) Adopt a Resolution establishing “No Parking” zones on El Colegio Road;
- b) Adopt a Resolution establishing “No Parking” zones on Camino Corto;
- c) Adopt a Resolution rescinding Resolutions 75-228, 91-329, 05-352, 80-83, and 94-452 to remove no parking zones on El Colegio Road and Camino Corto;
- d) Adopt a Resolution rescinding portions of Resolutions 71-272, 75-564, 75-917, 76-224, 87-478, and 87-520 to remove no parking zones on El Colegio Road and Camino Corto; and
- e) 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 Carbajal, seconded by Supervisor Lavagnino, that this matter be Continued, as follows: August 9, 2011 in Santa Maria 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) PUBLIC WORKS[11-00532](#)

Consider recommendations regarding the Cold Springs Road Safe Routes to School Project, County Project No. 862321, First District, as follows:

a) Approve a Notice of Exemption pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15304 (c), pertaining to minor public or private alterations in the condition of land, water, and/or vegetation for the Cold Springs Road Safe Routes to School Project; and

b) Authorize the Director of Public Works to advertise for construction bids for the Cold Springs Road Safe Routes to School Project.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, 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-18) PUBLIC WORKS11-00540

Consider recommendations regarding the State of California 2010/2011 Exchange and State Match Program and Agreement for the exchange of Federal Highway dollars, as follows:

- a) Approve and authorize the Chair to execute an Agreement with the State of California Department of Transportation for the exchange of Federal Highway dollars for Non-Federal State Highway Account dollars, for Fiscal Year 2010/11 apportionments in the amount of \$558,115.00;
- b) Authorize staff to disperse these Local Surface Transportation Program (LSTP) funds to the City of Buellton, the City of Guadalupe and the City of Solvang, in the amounts identified for Fiscal Year 2010/11 in the Federal Transportation Improvement Program (FTIP); and
- c) Approve the filing of a Notice of Exemption pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378 (b), pertaining to the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potential significant physical impact on the environment.

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

- a) Approved; Chair to Execute;**
- b) Authorized; and**
- c) Approved.**

The motion carried by the following vote.

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

A-19) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT

11-00535

Acting as the Board of Directors, Laguna County Sanitation District:

Consider recommendations regarding the Laguna County Sanitation District Oak Knoll Road - Patterson Road Sewer Upgrade project (OAKSWR), Fourth District, as follows:

- a) Approve plans and specifications for the Oak Knoll Road - Patterson Road Sewer Upgrade project;
- b) Award the Construction Contract in the amount of \$318,106.00 to the lowest responsible bidder, John Madonna Construction Company, Inc., P.O. Box 5310, 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 by law;
- c) Approve and authorize the Chair to execute the Construction Contract, upon return of the Contractor's executed documents, and review and approval of County Counsel, Auditor-Controller and Risk Manager or their authorized representatives; and
- d) Approve a contingency fund in the amount of \$28,405.30 for the project.

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

a) through d) 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, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

11-00402

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

Consider recommendations regarding the Flood Control Benefit Assessment Program for Fiscal Year 2011/2012 as follows:

- a) Make a determination upon each assessment described in the report ordered filed by the Board of Supervisors at the June 21, 2011 meeting;
- b) Adopt a Resolution confirming Flood Control Benefit Assessment for Fiscal Year 2011/2012;
- c) Consider the adoption (second reading) of an Ordinance amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services imposing Flood Control Benefit Assessments for Fiscal Year 2011/2012;
- d) Find that the assessment revenue will be used for meeting operating expenses, including employee wage rates and fringe benefits, purchasing or leasing supplies, equipment, or materials, meeting financial reserve needs and requirements obtaining funds for capital projects necessary to maintain service within existing service areas, within meaning of Public Resources Code Section 21080(b)(8); and
- e) Find that the recalculation and imposition of the annual Flood Control Benefit Assessment is not a "project" as defined in CEQA Guidelines Section 15378.

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

a) Approved;

b) Adopted;

RESOLUTION NO. 11-260

c) Adopted;

ORDINANCE NO. 4793

d) and e) Authorized.

The motion carried by the following vote.

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

A-21) SHERIFF [11-00521](#)

Approve and authorize the Chair to execute an Application for the Destruction of Personnel Records for records dated January 1, 2001 through December 31, 2005, no longer necessary for operations, as authorized by Government Code section 26202. (4/5 Vote Required)

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

Board of SupervisorsA-22) SUPERVISOR CARBAJAL [11-00517](#)

Approve the reappointment of David Novis to the Library Advisory Committee, term ending June 30, 2012, First District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, 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-23) SUPERVISOR CARBAJAL [11-00518](#)

Approve the appointment of Jan Winter to the Mental Health Commission, term ending August 1, 2014, First District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, 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 CARBAJAL[11-00519](#)

Approve the reappointment of Marybeth Carty to the Commission for Women, term ending August 1, 2014, First District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, 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-25) SUPERVISOR CARBAJAL[11-00522](#)

Approve the reappointment of John C. Woodward to the Historic Landmarks Advisory Committee, term ending July 5, 2015, First District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, 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-26) SUPERVISOR CARBAJAL[11-00543](#)

Approve the appointment of Louis Weider to the Mental Health Commission as an Alternate Member, term ending August 1, 2014, First District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, 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 RequestsA-27) PUBLIC HEALTH[11-00528](#)

Set hearing to consider recommendations regarding a County Service Area 12, Mission Canyon Sewer District, Resolution relative to Septic Management Administration Charges on the Tax Roll, First District, as follows:

(Set hearing for 7/12/11. Time estimate 10 minutes.)

a) Receive and file a report entitled County of Santa Barbara Public Works Department Fixed Charges/ Assessments report for Mission Canyon septic system management for Fiscal Year 2011/2012 which proposes the septic system management charges, with no change proposed this year, for County Service Area 12;

b) Adopt a Resolution establishing the septic system management charges for County Service Area 12, Mission Canyon Sewer District, and provide for collection on the Tax Rolls for Fiscal Year 2011/2012; and

b) Approve a Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines Section 15273 (a) (1-4).

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, that this matter be Set for a hearing, as follows: July 12, 2011 in Santa Maria (EST. TIME: 10 MIN.). The motion carried by the following vote.

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

A-28) PUBLIC HEALTH11-00529

Set hearing to consider recommendations pertaining to an Ordinance revising Environmental Health Services' Solid waste program fees, as follows:

(Set hearing for 7/12/11. Time estimate 10 minutes.)

- a) Consider the introduction (first reading) of an Ordinance to revise the Environmental Health Services' fee schedule for the Solid Waste Local Enforcement Agency program, effective October 1, 2011;
- b) Set hearing on the Administrative Agenda of August 9, 2011 to consider the adoption (second reading) of an Ordinance revising the Environmental Health Services Solid Waste Local Enforcement Agency program fee schedule; and
- c) Approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, that this matter be Set for a hearing, as follows: July 12, 2011 in Santa Maria (EST. TIME: 10 MIN.). The motion carried by the following vote.

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

A-29) PUBLIC WORKS[11-00534](#)

Consider recommendations regarding establishing Benefit Assessments for County Service Area 3 (CSA 3), and County Service Area 31 (CSA 31) for Fiscal Year 2011/2012, Second and Third Districts, as follows:

- a) Adopt a Resolution setting a public hearing for County Service Area 3 (CSA 3) and County Service Area 31 (CSA 31) on the agenda for July 12, 2011; and
- b) Set hearing for July 12, 2011 to consider recommendations, as follows:
(Set hearing for 7/12/11. Time estimate 15 minutes.)
 - i) Receive and file a report entitled "Fixed Charges Fee Report for Fiscal Year 2011/2012" with the Clerk of the Board, with no change to the streetlighting benefit assessment rates for CSA 3 and CSA 31;
 - ii) Adopt a Resolution establishing streetlighting charges for CSA 3 and CSA 31 for Fiscal Year 2011/2012; and
 - iii) Approve the Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines per CCR 15273(a).

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

a) Adopted.

RESOLUTION NO. 11-261

b) Set for a hearing on August 9, 2011 in Santa Maria (EST. TIME: 15 MIN.)

The motion carried by the following vote.

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

Administrative Items

A-30) HUMAN RESOURCES[11-00570](#)

Approve a Side Letter Agreement with the Service Employees International Union (SEIU), Local 620 to delay a previously-negotiated 2.5% wage increase and a \$20 biweekly benefit allowance increase.

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

Approval of Administrative Agenda

HEARING TIME: 9:05 A.M. - 9:13 A.M. (8 MIN.)

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

Public Comment Period

HEARING TIME: 9:14 A.M. - 9:17 A.M. (3 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: Election issues - Dr. Robert L. Johns Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE11-00516

HEARING - Authorize staff to submit a conditional withdrawal of the County's protest to the California Department of Alcohol Beverage Control regarding the application for a Premises to Premises transfer of the existing license to sell alcoholic beverages (type 47) held by the Santa Ynez Band of the Chumash Indians. The conditional withdrawal of protest shall include but not be limited to the following provisions: (EST. TIME: 1 HR.)

- a) Inclusion of all provisions stated within Santa Barbara County Sheriff Letter (July 8, 2010);
- b) Restriction of bottle sales throughout the facility;
- c) Children under the age of 18 are not allowed on the gaming floor or showroom; and
- d) Alcohol may only be sold in Willows Room and its adjacent patio on the 3rd Floor of the Chumash Casino; in the Buffet Room of the 3rd Floor of the Chumash Casino and adjacent patio; and in the Showroom of the 2nd Floor of the Chumash Casino consistent with Condition 13 of the Petition for Conditional License.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:00 A.M. - 11:10 A.M. (1 HR., 10 MIN.)

Received and filed staff presentation and conducted public hearing.

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

That the County of Santa Barbara continue the protest with the California Department of Alcohol and Beverage Control related to the application for a premises to premises transfer of the existing license to sell alcoholic beverages (type 47) held by the Santa Ynez Band of Chumash Indians.

The motion failed by the following vote.

Ayes: 2 - Supervisor Wolf, and Supervisor Farr

Noes: 3 - Supervisor Carbajal, Supervisor Gray, and Supervisor Lavagnino

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

a) - d) Adopted staff recommendations.

The motion carried by the following vote.

Ayes: 3 - Supervisor Carbajal, Supervisor Gray, and Supervisor Lavagnino

Noes: 2 - Supervisor Wolf, and Supervisor Farr

2) SUPERVISOR FARR, SUPERVISOR LAVAGNINO[11-00527](#)

HEARING - Receive and file a report from Pacific Gas & Electric and Southern California Edison regarding installation of smart meters in Santa Barbara County and take action as appropriate. (EST. TIME: 1 HR. 30 MIN.)

HEARING TIME: 1:30 P.M. - 5:00 P.M. (3 HRS., 30 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Directed staff to draft a letter for execution by the Board to the California Public Utilities Commission requesting a no cost opt-out option for customers of Pacific Gas and Electric and Southern California Edison in Santa Barbara County and that the County Legislative Committee review all pending State and Federal legislation related to the Smart Meter issue.

The motion carried by the following vote.

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

3) HUMAN RESOURCES

11-00524

HEARING - Adopt a Resolution rescinding previously-adopted increases in wages and benefits for Confidential, unrepresented employees: a 2.5% increase in wages and an increase of \$20 per pay period in the unit cash benefit allowance, both scheduled to be effective on June 27, 2011. (EST. TIME: 5 MIN.)

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 9:18 A.M. - 9:20 A.M. (2 MIN.)

Received and filed staff presentation and conducted public hearing.

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

RESOLUTION NO. 11-262

The motion carried by the following vote.

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

4) HUMAN RESOURCES[11-00525](#)

HEARING - Adopt a Side Letter Agreement reached with the Santa Barbara County Fire Fighters Local 2046 for wage concessions and a one-year contract extension. (EST. TIME: 5 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 9:21 A.M. - 9:23 A.M. (2 MIN.)

Received and filed staff presentation and conducted public hearing.

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

The motion carried by the following vote:

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

5) HUMAN RESOURCES[11-00526](#)

HEARING - Approve a Memorandum of Understanding with the Engineers and Technicians Association, effective for the period of June 27, 2011 through June 23, 2013, implementing the changes summarized (EST. TIME: 5 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 9:24 A.M. - 9:28 A.M. (4 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 Approved.

The motion carried by the following vote:

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

Board Member Reports

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

Re: Attended various 4th of July events - Fifth District Supervisor Steve Lavagnino Addressed the Board.

Re: Met with Col. Toy of the US Army Corp. of Engineers to discuss and express our gratitude for the work they do in the County, including the Mission Canyon project and the Santa Maria Levee project and participated in 4th of July Parades for the City of Montecito and the City of Santa Barbara - First District Supervisor Salud Carbajal Addressed the Board.

Re: Announced the successful partnership between the County, Parks staff and the UCSB Coastal Fund to join in repairs of the beach staircase in Isla Vista at Camino Majorca and participated in the Solvang 4th of July Parade - Third District Supervisor Doreen Farr Addressed the Board.

Re: Met with Col. Toy of the US Army Corp. of Engineers and toured Goleta Beach with First District Supervisor Salud Carbajal and representatives from the County and City of Santa Barbara, attended the Grand Jury celebration to honor both retiring and newly inducted members, the Graduation of Santa Barbara's Day Reporting Center and First Class of Former Inmates held at Ellings Park and announced a meeting of the Goleta Valley Community Plan to be held that evening at 6:00 p.m. in the Planning & Development hearing room on the first floor of the County Administration Building - Second District Supervisor Janet Wolf Addressed the Board.

Re: Toured County Surveyor's Office with Scott McGolphin and Mike Emmons and announced that the American flag was raised on the 4th of July at the Old Town Orcutt Veteran's Memorial with the authorization of Caltrans - Fourth District Supervisor Joni Gray Addressed the Board.

Adjourned at 5:00 PM

Adjourned to

July 12, 2011

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

Announcements

The meeting of Tuesday, July 5, 2011 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, July 7, 2011, at 5:00 PM and on Saturday, July 9, 2011, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>