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## **ACTION SUMMARY**

**February 17, 2009**

**COUNTY ADMINISTRATION BUILDING  
BOARD HEARING ROOM, FOURTH FLOOR  
105 EAST ANAPAMU STREET, SANTA BARBARA**

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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.

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**7:50 A.M. .... Convened and Recessed to Closed Session****9:00 A.M. .... Reconvened to Regular Session**

*CONVENED AT 9:03 A.M.*

**Roll Call**

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

**Pledge of Allegiance****Report from Closed Session**1) COUNTY COUNSEL [File Reference No. 09-00155](#)

Closed Session Agenda

County Counsel reported that the Board of Supervisors took the following actions:

a) by a 5-0 vote, approved the settlement of a dispute involving affordable housing, located at 114 Kellogg Drive (terms of the settlement governing distribution of sale proceeds were 67% to the County and 33% to Mr. Martin);

and

b) by a 5-0 vote, approved joining statewide litigation to compel state officials to pay counties appropriated state funds and federal funds for social service programs and administrative costs and to seek a declaration of counties' duties and rights with respect to financial responsibility for social services programs.

Details of these announcements may be obtained from the Office of the County Counsel.

**Approval of Minutes of the February 10, 2009 Meeting**

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

**Administrative Agenda****Administrative Items**A-1) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 09-00128](#)

Approve the request of the Goleta Sanitary District to consolidate their district election with the Statewide General Election.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.

A-2) COUNTY COUNSEL [File Reference No. 09-00126](#)

Approve the proposed amendments to the Conflicts of Interest Code of the Santa Barbara County Education Office.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.

- A-3) COUNTY COUNSEL [File Reference No. 09-00127](#)  
Approve the proposed amendments to the Conflicts of Interest Code of the Santa Barbara Community College District.  
**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**
- A-4) COUNTY EXECUTIVE OFFICE [File Reference No. 09-00152](#)  
Approve Budget Revision Requests (SEE EXHIBIT A WITH POSTED AGENDA). (4/5 Vote Required).  
**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**
- A-5) COUNTY EXECUTIVE OFFICE [File Reference No. 09-00052](#)  
Receive and file the Fiscal Issues Report.  
**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Received and filed. The motion carried unanimously.**
- A-6) DISTRICT ATTORNEY [File Reference No. 09-00132](#)  
Approve and authorize the Chair to execute an Agreement with the City of Goleta authorizing the District Attorney to prosecute violations of city laws when requested, effective February 10 through June 30, 2010.  
**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute. The motion carried unanimously.**
- A-7) GENERAL SERVICES [File Reference No. 09-00154](#)  
Direct the staff to stop re-initiate design work on the Emergency Operation Center (EOC) and the Betteravia Government Center Expansion, in anticipation of the Federal Stimulus Package, which includes funding for EOCs.  
**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**
- A-8) PLANNING AND DEVELOPMENT [File Reference No. 09-00134](#)  
Approve and authorize the Chair to execute the Renewal Agreement for energy permitting and planning services with the City of Carpinteria for a period of one year, following execution by the parties, First District.  
**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute. The motion carried unanimously.**
- A-9) PUBLIC HEALTH [File Reference No. 09-00136](#)  
Receive and file the Summaries of Evaluations for 2008 Annual Health Inspections of Detention Facilities by the County Health Officer, regarding compliance with environmental, nutritional, and medical/mental health standards for detention facilities within Santa Barbara County.  
**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Continued, as follows: February 24, 2009 in Santa Maria. The motion carried unanimously.**

A-10) PUBLIC WORKS[File Reference No. 09-00139](#)

Approve and authorize the Chair to execute Addendum No. 1, which provides a one year time extension and increases the professional services contract from \$267,500 to \$364,500 (an increase of \$97,000). This amendment would modify the existing professional design services agreement with Penfield and Smith Engineering (P&S) (a local vendor) for El Colegio Road Improvements-Phase II, County Project No. 864042, Third District.

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

A-11) PUBLIC WORKS[File Reference No. 09-00140](#)

Consider recommendations regarding Stop Controls on Various Streets, Fourth District, as follows:

a) Adopt thirteen Resolutions establishing Stop Controls on North Pacific Street at its intersection with Park Avenue, North First Street at its intersection with Park Avenue, Union Avenue at its intersection with Twitchell Street, Union Avenue at its intersection with Garrett Street, South Gray Street at its intersection with Pinal Avenue, South Pacific Street at its intersection with Pinal Avenue, South First Street at its intersection with Pinal Avenue, Garrett Street at its intersection with Pinal Avenue, Norris Street at its intersection with Pinal Avenue, Twitchell Street at its intersection with Pinal Avenue, South Pacific Street at its intersection with Soares Avenue, South Gray Street at its intersection with Soares Avenue, Soares Avenue at its intersection with Dyer Street (all in the Old Town Orcutt area); and

b) Approve a Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the establishment of various stop controls in the Orcutt Area.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Continued, as follows: February 24, 2009 in Santa Maria. The motion carried unanimously.**

A-12) PUBLIC WORKS[File Reference No. 09-00141](#)

Approve a Resolution in support of the County's application for funding from the California Department of Forestry and Fire Protection's Urban Forestry Grant Program for FY 2008/2009.

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

**RESOLUTION NO. 09-025**

**The motion carried unanimously.**

A-13) PUBLIC WORKS[File Reference No. 09-00142](#)

Adopt four Resolutions and approve a Notice of Exemption pursuant to the County's Environmental Quality Act (CEQA) guidelines for the establishment of no parking zones on Turnpike Road in the Goleta area, Cieneguitas Road in the Goleta area, Hummel Drive in the Orcutt area, and Dahlia Place in the Orcutt area, Second and Fourth Districts.

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

**RESOLUTION NO. 09-026**

**RESOLUTION NO. 09-027**

**RESOLUTION NO. 09-028**

**RESOLUTION NO. 09-029**

**The motion carried unanimously.**

A-14) PUBLIC WORKS[File Reference No. 09-00143](#)

Consider recommendations regarding the 2009 Federal Economic Stimulus Proposed Transportation Project Categories, as follows:

a) Approve the Project Categories and Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the proposed projects in preparation for the 2009 Federal Economic Stimulus Package; and

b) Authorize the Director of Public Works to advertise for construction bids for the Project Categories as detailed in the Board Letter dated February 17, 2009, in preparation for the 2009 Federal Economic Stimulus Package.

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

**a) Approved.**

**b) Authorized.**

**The motion carried unanimously.**

A-15) PUBLIC WORKS[File Reference No. 09-00144](#)

Consider recommendations regarding Amendment No. 2 to the contract with Alternative Resources, Incorporated for consulting services to evaluate the feasibility of and prepare a request for proposals for a conversion technology facility at the Tajiguas Landfill, First, Second, and Third Districts, as follows:

- a) Approve and authorize the Chair to execute Amendment No. 2 to the contract with Alternative Resources, Incorporated (not a local vendor), to:
  - i) Extend the term from January 31, 2009 to August 31, 2009;
  - ii) Add to the Scope of Work: "Task 6: JPA/MOU Assistance" and "Task 7: Criteria Workshops"; and
  - iii) Amend the contracted budget for a net increase of \$30,000, from \$152,500 to \$182,500.

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

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

**The motion carried unanimously.**

A-16) PUBLIC WORKS and BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT[File Reference No. 09-00137](#)

Consider recommendations regarding the Gobernador Debris Basin Modification Project Completion, First District, as follows:

- a) Accept the Notice of Completion for the Gobernador Debris Basin Modification Project and authorize the Clerk to record; and
- b) Adopt a Resolution establishing the final quantities for work performed and materials supplied for the Gobernador Debris Basin Modification Project by the contractor Shaw Excavating and Grading (not a local vendor), in the amount of \$983,500.14.

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

- a) **Accepted.**

- b) **Adopted.**

**RESOLUTION NO. 09-030**

**The motion carried unanimously.**

A-17) PUBLIC WORKS and BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 09-00138](#)

Consider recommendations regarding the Goleta Slough SEIR Agreement, Second District, as follows:

- a) Approve and authorize the Chair to execute an Agreement with Padre Associates, Inc. (a local vendor) for environmental services in the amount of \$140,200.00 for the period of February 17, 2009 through September 30, 2010 to develop the Goleta Slough Supplemental EIR; and
- b) Authorize a 15% contingency in the amount of \$20,030.00 with Padre Associates, Inc. for additional work that may be needed to complete work for the project.

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

- a) **Approved; Chair to execute.**
- b) **Authorized.**

**The motion carried unanimously.**

A-18) SHERIFF [File Reference No. 09-00129](#)

Approve and authorize the Chair to execute an application for the disposal of Internal Affairs files at least five (5) years old. (4/5 Vote Required)

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

A-19) SOCIAL SERVICES [File Reference No. 09-00131](#)

Approve the appointment and reappointment of the individuals outlined in the Board Letter dated February 17, 2009, to serve on the Santa Barbara County Workforce Investment Board for the term indicated on the roster.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**

## **Board of Supervisors**

A-20) SUPERVISOR CARBAJAL [File Reference No. 09-00145](#)

Approve the reappointment of Priscilla Whitaker to the Library Advisory Committee, term ending June 30, 2009, First District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**

A-21) SUPERVISOR CARBAJAL [File Reference No. 09-00146](#)

Approve the reappointment of Will Rivera to the South Coast Board of Architectural Review, term ending December 31, 2012, First District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**

A-22) SUPERVISOR CARBAJAL [File Reference No. 09-00147](#)

Approve the reappointment of Marybeth Carty to the Commission for Women, term ending August 1, 2011, First District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**

A-23) SUPERVISOR CARBAJAL [File Reference No. 09-00148](#)

Approve the reappointment of Sue Adams to the Historic Landmarks Advisory Commission, term ending January 1, 2013, First District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**

A-24) SUPERVISOR CARBAJAL [File Reference No. 09-00149](#)

Approve the reappointment of Louis Weider to the Mental Health Commission, term ending August 1, 2011, First District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**

A-25) SUPERVISOR CARBAJAL [File Reference No. 09-00150](#)

Approve the reappointment of Miriam Flacks to the Housing Authority Board of Commissioners, term ending February 1, 2013, First District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**

A-26) SUPERVISOR CARBAJAL [File Reference No. 09-00151](#)

Approve the reappointment of Barbara Lowenthal to the Historic Landmarks Advisory Committee, term ending January 1, 2013, First District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**

A-27) SUPERVISOR WOLF [File Reference No. 09-00130](#)

Approve the appointment of Gwendolyn P. Hampton to the Santa Barbara County Commission for Women, term ending April 24, 2010, Second District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**

### Hearing Requests

A-28) COUNTY COUNSEL [File Reference No. 09-00133](#)

Set hearing to determine whether or not the County of Santa Barbara will approve a Memorandum of Understanding Amendment that contains provisions relating to the processing of applications for development relating to the Santa Barbara Ranch project.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: March 3, 2009 in Santa Barbara (EST. TIME: 30 MIN.) The motion carried unanimously.**

A-29) FIRST 5, CHILDREN AND FAMILIES COMMISSION [File Reference No. 09-00153](#)



2007-2008 Annual Report.

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

A-30) PLANNING AND DEVELOPMENT

[File Reference No. 09-00135](#)

Set hearing to consider recommendations regarding Case Nos. 08APL-00000-00043 and 08APL-00000-00044 for the Charles Kolstad and Valerie Olson Appeals of the County Planning Commission's Approval of the Thielmann Second Dwelling Project (06DVP-00000-00006 and 08CDP-00000-00016), Second District, as follows:

- a) Deny the appeals;
- b) Adopt the required findings for the project contained in Attachment A of the November 13, 2008 County Planning Commission Action Letter, including the CEQA findings;
- c) Accept the exemption pursuant to Section 15303 (a) of the State CEQA Guidelines contained in Attachment B of the County Planning Commission Staff Report dated October 24, 2008; and
- d) Grant de novo approval of the project subject to the conditions included as Attachment C of the November 13, 2008 County Planning Commission Action Letter.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: March 3, 2009 in Santa Barbara (60 MIN.) The motion carried unanimously.**

A-31) SUPERVISOR CARBAJAL

[File Reference No. 09-00168](#)

Approve the appointment of Daniel Eidelson to the Montecito Planning Commission, term ending January 3, 2011, First District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.**

### **Approval of Administrative Agenda**

*HEARING TIME: 9:05 A.M. - 9:16 A.M. (11 MIN.)*

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

**Public Comment Period**

*HEARING TIME: 9:20 A.M. - 9:45 A.M. (25 MIN.)*

**Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 03-282) (09-00001)**

**RE: Final report of the 2008 County United Way Campaign - Bob Nisbet and Paul Didier Addressed the Board.**

**RE: Winchester Gun Club/Chumash Cultural Sites - David Daniel Diaz Addressed the Board.**

**RE: Discrimination Issues - Dr. Robert L. Johns and George Alvarez Addressed the Board.**

**RE: County Law Enforcement Procedures - Kate Smith and Lazarus Addressed the Board.**

**RE: Spay/Neuter Issues - Sonja Donaldson Addressed the Board.**

**RE: Public Service Protocols - Andy Caldwell Addressed the Board.**

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

- 1) SUPERVISOR CARBAJAL and SUPERVISOR GRAY [File Reference No. 08-00299](#)

HEARING - Consider recommendations regarding a Social Host Ordinance in the County of Santa Barbara, as follows: (EST. TIME: 1 HR.)

a) Adopt policy direction to establish a Countywide Social Host Ordinance, and direct staff to proceed with the necessary coordination and documents needed to adopt such an ordinance; and

b) Return to the Board within 90 days with an ordinance for Board consideration.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 3/3/09

*HEARING TIME: 9:47 A.M. - 9:48 A.M. (1 MIN.)*

**A motion was made by Supervisor Farr, seconded by Supervisor Gray, that this matter be Continued, as follows: March 3, 2009 in Santa Barbara (EST. TIME: 1 HR.) The motion carried by the following vote:**

Ayes: 4 - Supervisor Wolf, Supervisor Farr, Supervisor Gray and Supervisor Centeno

Absent: 1 - Supervisor Carbajal

- 2) COUNTY EXECUTIVE OFFICE [File Reference No. 09-00125](#)

HEARING - Receive and file a presentation from the Santa Barbara Conference and Visitors Bureau and Film Commission highlighting the ongoing efforts of the Film Commission. (EST. TIME: 10 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 9:49 A.M. - 10:12 A.M. (23 MIN.)*

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

**Received and filed presentation. The motion carried unanimously.**

3) COUNTY EXECUTIVE OFFICE[File Reference No. 09-00059](#)

HEARING - Consider recommendations regarding the Fiscal Year 2009-2010 Budget Development Workshop: Part 3 - Five Year Financial Forecasts, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Hold the third part of a four-part 2009-2010 budget development workshop and receive the Fiscal Year 2009-2010 Budget Development - Five Year Financial Forecasts Report; and
- b) Receive and file the updated five year financial forecasts for: Public Health; Alcohol, Drug, & Mental Health Services; Social Services; the Fire Department; Housing and Community Development; the Road Fund; and the County General Fund.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 10:25 A.M. - 11:45 A.M. (1 HR., 20 MIN.)*

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

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

**a) and b) Received and filed.**

**The motion carried unanimously.**

4) SUPERVISOR WOLF and SUPERVISOR FARR[File Reference No. 09-00111](#)

HEARING - Review and consider amendments to Chapter 2, Article X of the Santa Barbara County Code relating to the Establishment and Duties, Responsibilities and Authorities of the County Executive Officer, as follows: (EST. TIME: 1 HR.)

a) Review, discuss and consider amendments to Chapter 2, Article X of the County Code and take appropriate action; and

b) Direct that the hiring of a Planning and Development Director be delayed pending review of Chapter 2, Article X.

*HEARING TIME: 12:30 P.M. - 2:35 P.M. (2 HRS., 5 MIN.)*

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

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

**a) Directed staff to return on March 3, 2009 for the Introduction (first reading) of an Ordinance amending Chapter 2, Article X of the County Code relating to the Establishment and Duties, Responsibilities and Authorities of the County Executive Officer as proposed in the Board Letter dated February 17, 2009 from Supervisor Janet Wolf and Supervisor Doreen Farr.**

**b) Continued to March 3, 2009.**

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

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

Noes: 1 - Supervisor Gray

**Adjourned at 2:40 PM**

**The Board of Supervisors adjourned the meeting of February 17, 2009 in honor of Rachel Morehouse of Lompoc.**

**Adjourned to**

**February 24, 2009**

**Betteravia Government Center**

**Board Hearing Room**

**511 East Lakeside Parkway**

**Santa Maria**

**Announcements**

The meeting of Tuesday, February 17, 2009 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 19, 2009, at 5:00 PM and on Saturday, February 21, 2009, at 10:00 AM on CSBTV Channel 20.

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