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, March 1, 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

Closed Session Agenda

Approval of Minutes of the February 1, 2011 Meeting

Approval of Minutes of the February 15, 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.

Resolutions to be Presented

A-1) BOARD OF SUPERVISORS

11-00160

11-00040

Adopt a Resolution of Commendation honoring Carolyn Robinson of the Program Development and Support Division of the Department of Social Services as the March 2011 Santa Barbara County Employee of the Month.

A-2) SUPERVISOR GRAY

11-00158

Adopt a Resolution proclaiming March 7th, 2011 as Arbor Day in Santa Barbara County.

Honorary Resolutions

A-3) SUPERVISOR CARBAJAL

11-00184

Adopt a Resolution honoring Derek Westen upon receiving the Planned Parenthood 2011 Volunteer of the Year Award.

A-4) SUPERVISOR WOLF

11-00164

Adopt a Resolution of Commendation honoring Jerry Harwin for his Life Time Achievement Award.

Administrative Items

A-5) COUNTY CLERK-RECORDER-ASSESSOR

11-00176

Consider recommendations regarding the First Amendment to the Contract with Colorado CustomWare Inc., as follows:

- a) Approve and authorize the Chair to execute the First Amendment to the Master License, Services and Support Agreement with Colorado CustomWare Inc. (not a local vendor) for the amount of \$93,000.00 for additional software, implementation, one year of maintenance, and training of Matix, a visualization and valuation tool to be used in conjunction with the original Contract application of Realware, plus optional ongoing maintenance for four additional years not to exceed \$20,260.00 annually; and
- b) Determine that approval of the First Amendment to the Master License, Services and Support Agreement with Colorado CustomWare Inc. is not a project under California Environmental Quality Act (CEQA) pursuant to section 15060(c)(3) and 15378(b)(5) of the CEQA Guidelines, because it will not result in a direct or reasonably foreseeable indirect physical change in the environment.

Department requests continuance of Administrative Item A-6) to March 15, 2011

A-6) 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-7) COUNTY EXECUTIVE OFFICE

11-00169

Approve the appointment of Ed Andrisek to the Indian Gaming Local Community Benefit Committee for the term expiring January 1, 2012.

A-8) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

11-00134

Approve an application for the destruction of records so that records may be destroyed in accordance with Government Code Section 26202. (4/5 Vote Required)

A-9) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

11-00161

Approve a status-quo Contract Extension with the Service Employees International Union, Local 721 (Local 721) to June 26, 2011.

BOARD OF SUPERVISORS Agenda March 1, 2011

A-10) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

11-00189

Approve the appointment of Raimundo Montes de Oca as Public Defender for the County of Santa Barbara effective February 21, 2011.

A-11) FIRST 5, CHILDREN AND FAMILIES COMMISSION

11-00172

Approve and authorize the Chair to execute a Service Agreement for March 2, 2011 through June 30, 2016 for Children's Choice Learning Centers, Inc. (CCLC), to operate Santa Barbara County's child care center at the Government Center in Santa Maria, providing high quality affordable child care services, designed to assist the County in increasing productivity and reducing employee lost time.

A-12) GENERAL SERVICES

11-00165

Consider recommendations regarding the Santa Barbara Public Defender Remodel, Project No. 8661, First District, as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Contract with Melchiori Construction (a local vendor) for the Public Defender Remodel project in the amount of \$110,831.29 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 \$3,210,331.29; and
- b) 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.

A-13) GENERAL SERVICES

11-00166

Approve and authorize the Chair to execute Amendment No. 5 to the Contract with Melchiori Construction for the Emergency Operations Center (EOC) project, Building Project No. 8666, in the amount of \$195,665.00 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 \$4,461,266.88, Second District. (4/5 Vote Required)

A-14) PUBLIC HEALTH

<u>11-00168</u>

Authorize the Purchasing Manager to issue a change order increase for Beckman Coulter (not a local vendor), Contract No. BL03067, from \$10,000.00 to \$100,000.00 for laboratory supplies for Fiscal Years 2010/2011 through 2012/2013 without a competitive bid.

A-15) PUBLIC HEALTH

11-00175

Adopt a Resolution authorizing the Public Health Department's Director of the Environmental Health Services to submit an application for a Waste Tire Enforcement Grant from CalRecycle, pursuant to Public Resources Code Sections 40000 et seq.

A-16) PUBLIC WORKS

11-00162

Consider recommendations regarding the San Ysidro Road Safe Routes to School Path, County Project No. 862298, First District, as follows:

- a) Approve the Project and Negative Declaration and Findings (10NGD-00000-00022) for the San Ysidro Road Safe Routes to School Path; and
- b) Authorize the Director of Public Works to advertise for construction bids for the San Ysidro Road Safe Routes to School Path.

A-17) PUBLIC WORKS

11-00163

Consider recommendations regarding construction of Fiscal Year 2010/2011 ADA Concrete Repairs, County Project No. 820622, Second District, as follows:

- a) Approve plans and specifications for Construction of Fiscal Year 2010/2011 ADA Concrete Repairs;
- b) Award the Construction Contract in the amount of \$164,610.00 to the lowest responsible bidder, G. Sosa Construction Inc. (a local vendor), 2880 Santa Maria Way, Ste D3, Santa Maria, CA 93455, 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 \$16,461.00 for construction of Fiscal Year 2010/2011 ADA Concrete Repairs.

A-18) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT

11-00177

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

Approve and authorize the Chair to execute the Amendment to the August 8, 1977 Agreement between the Laguna County Sanitation District and the City of Santa Maria addressing a trade in wastewater services, Fourth and Fifth Districts.

A-19) SOCIAL SERVICES

11-00159

Approve the appointment of two new members, Rick Rantz and Fred Razo, and the reappointment of Patricia Manfredonia, Christopher Montigny, Robert Manning, Timothy Harrington, Sue Larsen, Karen Dwyer, Cindy Burton, Fran Forman and Gabriel Morales, to serve on the Santa Barbara County Workforce Investment Board, terms ending March 30, 2013.

A-20) SOCIAL SERVICES

11-00167

Consider recommendations regarding a De-obligation of Agreement with Fighting Back Santa Maria Valley BC10-134, as follows:

- a) Approve and authorize the Chair to de-obligate \$100,000.00 from Agreement BC10-134 between the County of Santa Barbara and Fighting Back Santa Maria Valley; and
- b) Approve and authorize the Chair to direct the Department of Social Services to prepare the \$100,000.00 de-obligation Contract modification as recommended, for signature by the Chair of the Board

Board of Supervisors

A-21) SUPERVISOR CARBAJAL

11-00171

Receive and file a report on Washington DC legislative visits to advocate for Santa Barbara County's 2011 Federal Legislative Platform Priorities.

A-22) SUPERVISOR GRAY

11-00173

Approve the reappointment of James E. Pearson to the Housing Authority Board of Commissioners as the North County Tenant-At-Large, term ending February 1, 2013, Fourth District.

A-23) SUPERVISOR LAVAGNINO

11-00174

Approve the appointment of Richard Bendle to the Advisory Board on Alcohol and Drug Problems, term ending May 1, 2012, Fifth District.

Hearing Requests

A-24) COUNTY EXECUTIVE OFFICE

<u>11-00190</u>

Set hearing to consider the potential conditional withdrawal of the County of Santa Barbara'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.

(Set hearing for 3/15/11. Time estimate 1 hour.)

A-25) PARKS <u>11-00170</u>

Set hearing to consider recommendations regarding Proposed Fee Adjustments for the Day Use Parks, Joseph Centeno Cuyama Aquatics Complex, Cachuma Lake, Jalama Beach, Wedding Events, Film Permits, and Special Events, as follows: (Set hearing for 3/15/11. Time estimate 20 minutes.)

- a) Receive and file a staff report regarding:
- i) The establishment of 2011 fees for reserved areas in the day use parks and the Joseph Centeno Cuyama Aquatics Complex;
- ii) The establishment of 2011 fees for Cachuma Lake and Jalama Beach camping parks;
- iii) The establishment of 2011 fees for wedding events in parks;
- iv) The establishment of 2011 fees for film permits in parks; and
- v) The establishment of 2011 fees for special events;
- b) Approve the Notice of Exemption from the California Environmental Act (CEQA) for the setting of fees; and
- c) Adopt a Resolution approving fee adjustments for day use fees, the Joseph Centeno Cuyama Aquatics Complex, Cachuma Lake, Jalama Beach, wedding events, film permits, and special events.

A-26) PLANNING AND DEVELOPMENT

11-00179

Set hearing to consider Case No. 10TEX-00000-00039 for the Miramar Beach Resort & Bungalows Time Extension Project, as follows: (Set hearing for 3/15/11. Time estimate 30 minutes.)

- a) Make the required findings for approval of the project specified in Attachment A of the Montecito Planning Commission staff report regarding the time extension project dated February 4, 2011, including the California Environmental Quality Act (CEQA) findings;
- b) Accept 08EIR-00000-00003, 00-ND-003 and the Addendum dated December 9, 2008, included as Attachment C of the Montecito Planning Commission staff report regarding the time extension project dated February 4, 2011, as adequate Environmental Review for Case No. 10TEX-00000-00039, pursuant to Section 15162 of the State Guidelines for Implementation of the California Environmental Quality Act; and
- c) Approve the project, Case No. 10TEX-00000-00039.

A-27) PLANNING AND DEVELOPMENT

11-00178

Set hearing to consider Case Nos. 10AMD-00000-00010, 11CDH-00000-00001, 11AMD-00000-00002, 11AMD-00000-00003, 11AMD-00000-00004, 11AMD-00000-00005 for the Miramar Beach Resort and Bungalows Amended Project, as follows: (Set hearing for 3/15/11. Time estimate 3 hours.)

- a) Make the required findings for approval of the project specified in Attachment A of the Montecito Planning Commission staff report regarding the amended project dated February 4, 2011, including the California Environmental Quality Act (CEQA) findings;
- b) Adopt the Addendum to the Environmental Impact Report (08EIR-00000-00003), Mitigated Negative Declaration (00-ND-003) and the Addendum dated December 9, 2008, included as Attachment J of the Montecito Planning Commission staff report regarding the amended project dated February 4, 2011, under CEQA Guidelines Section 15164; and
- c) Approve the project, Case Nos. 10AMD-00000-00010 (amendment to 07RVP-00000-00009), 11CDH-00000-00001, 11AMD-00000-00002 (amendment to 07CUP-00000-00045), 11AMD-00000-00003 (amendment to 07CUP-00000-00046), 11AMD-00000-00004 (amendment to 07CUP-00000-00047), 11AMD-00000-00005 (amendment to 08CUP-00000-00005) subject to the conditions included as Attachments B-G of the Montecito Planning Commission staff report regarding the amended project dated February 4, 2011.

A-28) PLANNING AND DEVELOPMENT

11-00185

Set hearing to consider recommendations regarding Ordinance Amendments to allow enforcement of Chapter 9A, Brush Removal, and Chapter 44, Rights and Duties of Landlords and Tenants through the Administrative Fine Process under Chapter 24A, as follows: (Set hearing for 3/15/11. Time estimate 10 minutes.)

- a) Consider the introduction (first reading) of an Ordinance amending Chapter 9A, Brush Removal, to update the departmental references and appeals procedures;
- b) Consider the introduction (first reading) of an Ordinance amending Chapter 24A, Administrative Fines, to include enforcement of Chapter 9A, Brush Removal, and Chapter 44, Rights and Duties of Landlords and Tenants; and
- c) Set hearing on the Administrative Agenda of April 5, 2011 to consider recommendations, as follows:
- i) Consider the adoption (second reading) of an Ordinance amending Chapter 9A, Brush Removal, to update the departmental references and appeals procedures, to be effective 30 days from date of adoption; and
- ii) Consider the adoption (second reading) of an Ordinance amending Chapter 24A, Administrative Fines, to include the enforcement of Chapter 9A, Brush Removal, and Chapter 44, Rights and Duties of Landlords and Tenants, to be effective 30 days from date of adoption.

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.

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

Departmental Item No. 1) Time Certain - 10:00 A.M.

1) PLANNING AND DEVELOPMENT

11-00181

HEARING - Receive and file a report on Mobile Home Park Regulations. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

2) <u>PARKS</u> <u>11-00129</u>

HEARING - Consider recommendations regarding Amendments to Chapter 26 of the County Code, as follows: (EST. TIME: 10 MIN.)

- 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.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATIONS: APPROVE

3) COUNTY EXECUTIVE OFFICE

11-00182

HEARING - Consider, accept and forward to the Office of the Governor, Santa Barbara County Board of Supervisor nomination(s) of at least one member of a Board of Supervisors and/or at least one member of a City Council from San Luis Obispo, Santa Barbara and Ventura Counties for appointment as the South Central Coast Region representative on the California Coastal Commission. (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

4) COUNTY EXECUTIVE OFFICE

11-00186

HEARING - Consider recommendations regarding fire protection services for the City of Lompoc, Fourth District, as follows: (EST. TIME: 10 MIN.)

- a) Receive and file an update on the feasibility and cost of the Santa Barbara County Fire Protection District providing fire services to the City of Lompoc (City);
- b) Provide direction to staff to ensure that neither the County nor the District incur any additional costs for providing services to the City and authorize the submittal of a response to the City; and
- c) Authorize the County Executive Officer and Fire Chief to begin negotiations with the City of Lompoc regarding funding and other issues related to providing fire services to the City.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

5) <u>GENERAL SERVICES</u>

11-00180

HEARING - Receive and file the annual report on the results of the Local Vendor Outreach Program. (EST. TIME: 20 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

6) HOUSING AND COMMUNITY DEVELOPMENT

11-00183

HEARING - Consider recommendations regarding the Housing and Community Development Notice of Funding Availability (NOFA) Status Report and Selection Criteria Briefing Regarding 2011 Federal Community Development Block Grant (CDBG), HOME Investment Partnerships, and Emergency Shelter Grant Funding, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file a staff report providing a status update on the Department of Housing and Community Development 2011 NOFA for federal funding received through the CDBG, HOME, and Emergency Shelter Grant (ESG) programs; and
- b) Direct staff to proceed with the NOFA process and return to the Board in April 2011 to provide an update and present the 2011 Action Plan, including projects recommended for funding.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

7) <u>COUNTY EXECUTIVE OFFICE</u>

10-01073

HEARING - Approve the outreach strategy, timeline and budget for the County of Santa Barbara's 2011 Redistricting process. (EST. TIME: 20 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

8) <u>COUNTY EXECUTIVE OFFICE</u>

11-00187

HEARING - Receive and file a description of the budget development process and accept the forecast update and presentation on the economic context and impending budget challenges faced by the County in Fiscal Year 2011/2012. (EST. TIME: 1 HR.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Adjourn to

March 15, 2011

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

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, March 1, 2011 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, March 3, 2011, at 5:00 PM and on Saturday, March 5, 2011, at 10:00 AM on CSBTV Channel 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY MARCH 8, 2011. THE NEXT REGULAR MEETING OF THE BOARD OF SUPERVISORS WILL BE ON TUESDAY, MARCH 15, 2011 IN SANTA BARBARA.

http://www.countyofsb.org