

BOARD OF SUPERVISORS

County of Santa Barbara



First District - Salud Carbajal

Second District - Janet Wolf, Vice Chair

Third District - Doreen Farr

Fourth District - Joni Gray

Fifth District - Joseph Centeno, Chair

AGENDA

Tuesday, January 13, 2009

**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 03-282 (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://bos-agenda.sbcgov.net/calendar/#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[File Reference No. 09-00049](#)

Closed Session Agenda

Approval of Minutes of the January 6, 2009 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.

Administrative ItemsA-1) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES[File Reference No. 09-00021](#)

Consider recommendations regarding Contract Amendments to allocate Substance Abuse and Mental Health Services Administration (SAMHSA) grant funding, as follows:

- a) Approve and authorize the Chair to execute an amendment to the contract with Good Samaritan Shelter, Inc. (a local vendor) to allocate additional funds in the amount of \$218,653 for a total contract in the amount of \$1,491,640 for FY 08-09;
- b) Approve and authorize the Chair to execute an amendment to the contract with Mental Health Systems, Inc. (not a local vendor) to allocate additional funds in the amount of \$109,789 for a total contract in the amount of \$410,321 for FY 08-09; and
- c) Authorize the Director of ADMHS to approve amendments to the proposed contracts, provided that any such amendments do not exceed ten percent (10%) of each contract's dollar amount.

A-2) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES[File Reference No. 09-00022](#)

Consider recommendations regarding Amendments to FY 08-09 Mental Health Services Contracts to add funding for consumer-led programs, as follows:

- a) Approve and authorize the Chair to execute an amendment to the contract with Mental Health Association (a local vendor) to allocate funds in the amount of \$112,741 for a total contract in the amount of \$700,529 for the period of August 1, 2008 to June 30, 2009;
- b) Approve and authorize the Chair to execute an amendment to the contract with Transitions Mental Health Association (a local vendor) to allocate funds in the amount of \$137,500 for a total contract in the amount of \$810,063 for the period of August 1, 2008 through June 30, 2009; and

c) Authorize the Director of ADMHS to approve amendments to the above contracts, provided that any such amendments do not exceed ten percent (10%) of each contract's dollar amount.

A-3) AUDITOR-CONTROLLER [File Reference No. 09-00018](#)

Approve and authorize the Chair to execute Amendment No. 2 to the contract with Brown Armstrong Paulden McCown Starbuck Thornburgh and Keeter Accountancy Corporation (BC 07-117) in the amount of \$128,400 to perform the County's fiscal year 2008-09 financial audit and Single Audit, and the First 5 Commission's fiscal year 2008-09 financial audit, and the Redevelopment Agency's (RDA) fiscal year 2008-09 financial and compliance audits.

A-4) AUDITOR-CONTROLLER [File Reference No. 09-00029](#)

Consider recommendations regarding a Property Tax Administrative Fee for 2008-09 (SB2557), as follows:

a) Receive and file a report prepared by the Santa Barbara County Auditor-Controller establishing the 2008-09 Property Tax Administrative Fee; and

b) Adopt a Resolution to impose the fee pursuant to Revenue and Taxation Code sections 95.3 and 97.75.

A-5) COUNTY EXECUTIVE OFFICE [File Reference No. 09-00020](#)

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

A-6) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 09-00037](#)

Approve an Application of Destruction of Records prior to December 31, 2005, which are no longer required by law to be retained.

A-7) PUBLIC WORKS [File Reference No. 09-00019](#)

Consider recommendations regarding the construction of Pardall Road Enhancement Project, County Project No. 720723, Third District, as follows:

a) Authorize the Purchasing Agent to amend Contract No. CNO6998, with Penfield and Smith (a local vendor), for Construction Management services from \$100,000 to \$158,000 for the Pardall Road Enhancement Project; and

b) Authorize the Director of Public Works to act as the Board's Representative and Redevelopment Agency (RDA) to approve and execute this Amendment to the contract for Pardall Road Enhancement Project in the amount of \$58,000.

A-8) PUBLIC WORKS [File Reference No. 09-00023](#)

Consider recommendations regarding the purchase of membranes for the tertiary filtration system at the Laguna County Sanitation District Wastewater Reclamation Plant, Fourth District, as follows:

- a) Authorize the County Purchasing Agent to procure membranes from GE Water and Process Technologies, parent company of Zenon (not a local vendor), without being required to conduct a formal bid process; and
- b) Authorize the County Purchasing Manager to execute a multi-year contract with GE Water and Process Technologies for the purchase of membranes for the tertiary filtration system at the Laguna County Sanitation District wastewater reclamation plant.

A-9) PUBLIC WORKS and BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT [File Reference No. 09-00024](#)

Approve and authorize the Chair to execute an Agreement with CH2M HILL in the amount of \$279,260 for the preparation of a facilities and financial master plan, Fourth District.

A-10) SUPERVISOR GRAY [File Reference No. 09-00030](#)

Approve the creation of the Orcutt Sport's Commission and the appointment of the following members:

- a) Dan Blough;
- b) Terri Lee Coleman;
- c) John Karamitsos;
- d) Chuck Scheithauer;
- e) Drew Sugars;
- f) Rick Velasco; and
- g) Joe Will.

Hearing RequestsA-11) COUNTY EXECUTIVE OFFICE [File Reference No. 09-00038](#)

Set hearing to consider the State Advocate Contract with Governmental Advocates, Inc, as follows:

- a) Renew the contract with Governmental Advocates, Inc. for state advocacy services for the period of January 1, 2009 through December 31, 2009 for an amount not to exceed \$58,464; and
- b) Receive a presentation from Governmental Advocates, Inc, to provide an update on state advocacy services rendered in the prior year.
(Set Hearing for 1/27/2009. Time estimate 40 minutes.)

Administrative ItemsA-12) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 09-00040](#)

Adopt an assistance program for the four County of Santa Barbara employees who lost or experienced significant damage to their residences as a result of the November 2008 Tea Fire, as follows:

- a) Authorize the Auditor-Controller to add 40 hours of personal leave time to the leave balances for each of the employees to be used solely for the purpose of dealing with matters related to the loss or damage of their residences;
- b) Authorize the four employees to cash in up to an additional 80 hours of their existing vacation balances; and
- c) Authorize the employees to use up to 40 hours of their existing sick leave balances for the purpose of dealing with matters related to the loss or damage to their residences.

A-13) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 09-00041](#)

Receive and file an update on recruitment information for Fire Warden/Fire Chief and Planning and Development Directors.

X-Agenda RequestsX-1 COUNTY EXECUTIVE OFFICE [File Reference No. 09-00060](#)

Consider amending the 2009 meeting schedule of the Board of Supervisors by cancellation of the regularly scheduled meeting of January 20, 2009.

X-2 COUNTY EXECUTIVE OFFICE, OFFICE OF EMERGENCY SERVICES and PUBLIC WORKS [File Reference No. 08-01041](#)

Adopt a Resolution reaffirming the ongoing existence of local emergency due to environmental impacts, response and recovery costs from the Tea Fire.

Legislative History

11/18/08 BOARD OF SUPERVISORS Acted on as follows:

Received and filed a staff presentation and conducted public hearing.

a) Received.

b) Adopted.

RESOLUTION NO. 08-405

11/25/08 BOARD OF SUPERVISORS Acted on as follows:

Received and filed staff presentation and conducted public hearing.

a) Adopted.

RESOLUTION NO. 08-409

12/9/08 BOARD OF SUPERVISORS

b) Authorized.

Approved

RESOLUTION NO. 08-411

12/23/08 BOARD OF SUPERVISORS

Acted on as follows:

Received and filed staff presentation and conducted hearing.

a) Adopted.

RESOLUTION NO. 08-430

1/6/09 BOARD OF SUPERVISORS

b) Accepted.

Adopted

RESOLUTION NO. 09-001

Approval of Administrative Agenda

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. 03-282) (09-00001)

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

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE[File Reference No. 08-01133](#)

HEARING - Consider adopting a Graffiti Abatement Ordinance, as follows: (EST. TIME: 15 MIN.)

a) Consider the adoption (second reading) of a Graffiti Abatement Ordinance to add Chapter 47, Graffiti Abatement, to the Santa Barbara County Code; and

b) Adopt a Resolution to Enable the Graffiti Ordinance within Isla Vista.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

12/9/08 BOARD OF SUPERVISORS

Set for a hearing, as follows:
December 16, 2008 in Santa Maria (EST. TIME: 15 MIN.)

12/16/08 BOARD OF SUPERVISORS

Acted on and set for a hearing, as follows:
Received and filed staff presentation and conducted public hearing.

a) Read title, waived reading of Ordinance in it's entirety. Introduction approved; adoption (second reading) set for January 13, 2009.

e) Set for January 13, 2008 in Santa Maria.

Directed staff to include provision to return for review in December 2009.

2) PUBLIC HEALTH[File Reference No. 08-01088](#)

HEARING - Consider recommendations regarding an Ordinance Amending Animal Services Fee Schedule, as follows: (EST. TIME: 30 MIN.)

a) Consider the introduction (first reading) of an Ordinance Amending the Animal Services Fee Schedule effective February 20, 2009;

b) Set hearing for January 20, 2009 to consider the adoption (second reading) of Ordinance Amending the Animal Services Fee Schedule; and

c) Approve a Notice of Exemption pursuant to California Environmental Quality Act of 1970 (CEQA) Guidelines.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

12/9/08 BOARD OF SUPERVISORS

Set for a hearing, as follows:
January 13, 2009 in Santa Barbara (EST. TIME: 30 MIN.)

3) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 08-01109](#)

HEARING - Consider recommendations regarding an Ordinance Setting Fees for the Office of the County Clerk-Recorder, as follows: (EST. TIME: 10 MIN.)

- a) Accept a cost recovery report on costs related to fees charged by the Santa Barbara County Clerk-Recorder; the report shall be available for public inspection at least 10 days before the hearing date at the County Clerk-Recorder's Administrative Office at 105 East Anapamu Street, Room 204, Santa Barbara, C.A., weekdays between 8:00 AM and 5:00 PM;
- b) Consider the introduction (first reading) of an Ordinance of the Santa Barbara County Code to establish fees for the Office of the County Clerk-Recorder effective March 1, 2009;
- c) Set hearing for January 27, 2009 to consider recommendations regarding an Ordinance of the Santa Barbara County Code to establish fees for the Office of the County Clerk-Recorder effective March 1, 2009, as follows:
 - i) Consider the adoption (second reading) of an Ordinance of the Santa Barbara County Code to establish fees for the Office of the County Clerk-Recorder effective March 1, 2009; and
 - ii) Pursuant to California Environmental Quality Act (CEQA) guidelines, approve the Notices of Exemption from the California Environmental Quality Act of 1970 for the fee resolution.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

12/16/08 BOARD OF SUPERVISORS Set for a hearing, as follows:
January 13, 2009 in Santa Maria (EST. TIME: 10 MIN.)

4) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 08-01025](#)

HEARING - Consider the adoption of a process for the Board of Supervisors' appointments to the Board of Retirement. (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

11/18/08 BOARD OF SUPERVISORS Set for a hearing, as follows:
January 13, 2009 in Santa Maria (EST. TIME: 15 MIN.)

5) COUNTY EXECUTIVE OFFICE [File Reference No. 09-00017](#)

HEARING - Consider recommendations regarding the 2009 Legislative Platform, as follows: (EST. TIME: 30 MIN.)

- a) Receive a report on issues and projects included as part of the County's 2009 Legislative Platform; and
- b) Adopt the County's 2009 Legislative Platform.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

1/6/09 BOARD OF SUPERVISORS Set for a hearing, as follows:
January 13, 2009 in Santa Maria (EST. TIME: 30 MIN.)

6) FIRE [File Reference No. 08-00263](#)

HEARING - Consider recommendations regarding the Chapter 15 Amendment, adoption of the 2007 California Fire Code and Fee Update, as follows: (EST. TIME: 45 MIN.)

- a) Consider the introduction (first reading) of an Ordinance amending Chapter 15 of the Santa Barbara County Code, as follows:
 - i) Adopt the 2007 California Fire Code with amendments replacing the amended 2001 California Fire Code as the enforcement Code for the Santa Barbara County Fire Protection District; and
 - ii) Adopt an updated Fire Code fee schedule and approve the Notice of Exemption
- b) Set hearing for January 20, 2009 to consider the adoption (second reading) of an Ordinance amending Chapter 15 of the Santa Barbara County Code.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

3/25/08 BOARD OF SUPERVISORS Set for a hearing, as follows:
April 15, 2008 in Santa Barbara. (EST. TIME: 15 MIN.)

4/15/08 BOARD OF SUPERVISORS Continued, as follows:
May 13, 2008 in Santa Maria (EST. TIME: 30 MIN.)

5/13/08 BOARD OF SUPERVISORS Acted on as follows:

Received and filed staff presentation and conducted public hearing.
 a) and b) No action taken.
 Directed staff to send project to community stakeholders, including but not limited to, the Agricultural Advisory Commission, Santa Barbara Planning Commission and Montecito Planning Commission regarding proposed language and specific concerns of individual groups and continue to include concerns and requirements of County Fire.
 Further directed staff to clearly explain specific concerns of Supervisors, such as:
 Sprinkler requirements; explicit exemptions; appeal process; petroleum facilities operators fees; grading requirements; open burning fees; cost recovery fees; violations and legal implementations.
 Staff to return to the Board as soon as possible with new draft language of an ordinance amending Chapter 15 of the Santa Barbara County Code.

6/17/08 BOARD OF SUPERVISORS

Continued, as follows:
 Received and filed staff presentation and conducted public hearing.

 Directed staff to return with amendments which compare and contrast proposed County modifications with California State Fire codes.

8/19/08 BOARD OF SUPERVISORS

a) through c) Continued to August 19, 2008 in Santa Barbara.
 Acted on as follows:
 a) i) and ii) Read title, waived reading of the ordinance in it's entirety.
 Introduction approved amended as follows:

Directed staff to add to the Ordinance the specific exemption for greenhouses from the sprinkler requirement as reflected in the public hearing.

Adoption (second reading) set for September 2, 2008.

b) Set hearing for September 2, 2008 in Santa Barbara (EST. TIME: 5 MIN.)

9/2/08 BOARD OF SUPERVISORS

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Wolf, Seconded by Supervisor Carbajal as follows:

Adopted.

The motion failed by the following vote:

Ayes: 2 - Supervisor Wolf and Supervisor Carbajal
Noes: 3 - Supervisor Centeno, Supervisor Firestone and Supervisor Gray

A motion was made by Supervisor Firestone, Seconded by Supervisor Gray as follows:

Directed staff to amend the Ordinance to include the following:

Provide the option for appellant(s) to seek remedy from the Superior Court and/ or the Board of Supervisors; and

b) Additional proposed language suggested by stakeholders.

Further directed County Counsel to review and research the proposed changes to the ordinance amending Chapter 15 of the Santa Barbara County Code and return to the Board as appropriate.

The motion carried by the following vote:

Ayes: 3 - Supervisor Centeno, Supervisor Firestone and Supervisor Gray
Noes: 2 - Supervisor Wolf and Supervisor Carbajal

7) COUNTY EXECUTIVE OFFICE and PLANNING AND DEVELOPMENT

[File Reference No. 08-01027](#)

HEARING - Consider recommendations regarding an onshore oil facilities update, as follows: (EST. TIME: 1 HR.)

a) Receive an update on the status of the onshore oil facilities program; and

b) Receive an update on the five recommendations concerning potential new ordinances and staff practices adopted by the Board of Supervisors on January 15, 2008.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

11/18/08 BOARD OF SUPERVISORS

Set for a hearing, as follows:

January 13, 2009 in Santa Maria (EST. TIME: 45 MIN.)

Adjourn to

January 20, 2009

County Administration Building

Board Hearing Room

105 East Anapamu Street , Fourth Floor

Santa Barbara

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, January 13, 2009 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, January 15, 2009, at 5:00 PM and on Saturday, January 17, 2009 at 10:00 AM on CSBTv Channel 20.

<http://www.countyofsb.org>