
ACTION SUMMARY

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

7:50 A.M. Convened and Recessed to Closed Session

9:00 A.M. Reconvened to Regular Session

CONVENED AT 9:02 A.M.

Roll Call

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

Pledge of Allegiance

Report from Closed Session

COUNTY COUNSEL

[File Reference No. 09-00049](#)

Closed Session Agenda

No reportable action taken.

Approval of Minutes of the January 6, 2009 Meeting

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

Administrative Agenda

Administrative Items

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

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

The motion carried unanimously.

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

a) and b) Approved; Chair to execute.

c) Authorized.

The motion carried unanimously.

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

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

a) Receive and filed.

b) Adopted.

RESOLUTION NO. 09-02

The motion carried unanimously.

- 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 motion was made by Supervisor Centeno, seconded by Supervisor Carbajal, that this matter be Approved. The motion carried unanimously.**
- 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 motion was made by Supervisor Centeno, seconded by Supervisor Carbajal, that this matter be Approved. The motion carried unanimously.**
- 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 motion was made by Supervisor Centeno, seconded by Supervisor Carbajal, that this matter be Acted on as follows:**
- a) and b) Authorized.**
- The motion carried unanimously.**
- 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 motion was made by Supervisor Centeno, seconded by Supervisor Carbajal, that this matter be Acted on as follows:**
- a) and b) Authorized.**
- The motion carried unanimously.**
- 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 motion was made by Supervisor Centeno, seconded by Supervisor Carbajal, that this matter be Approved; Chair to Execute. The motion carried unanimously.

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.

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

Hearing Requests

A-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.

A motion was made by Supervisor Centeno, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: January 27, 2009 in Santa Maria (EST. TIME: 40 MIN.) The motion carried unanimously.

Administrative Items

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

a) through c) Authorized.

The motion carried unanimously.

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.

A motion was made by Supervisor Centeno, seconded by Supervisor Carbajal, that this matter be Received and filed.

The motion carried unanimously.

X-Agenda Requests

X-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.

Acted on as follows:

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

Approved consideration of X-agenda request.

The motion carried unanimously.

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

Approved.

The motion carried unanimously.

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.

Acted on as follows:

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

Approved consideration of X-agenda request.

The motion carried unanimously.

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

Adopted.

RESOLUTION NO. 09-003

The motion carried unanimously.

Approval of Administrative Agenda

HEARING TIME: 9:03 A.M. - 9:40 A.M. (37 MIN.)

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

Public Comment Period

HEARING TIME: 9:41 A.M. - 10:05 A.M. (24 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) (08-00001)**

RE: County Oil concerns regarding public health issues - Andy Caldwell Addressed the Board.

RE: Invocation / Cold Springs Bridge suicide history - Sister Janet Corcoran Addressed the Board.

RE: Cold Springs Bridge suicide history - Dr. Robert Johns Addressed the Board.

RE: Cencal Outsourcing Pharmacy Services - Chhiju Patel Addressed the Board.

RE: Fourth District Supervisor Joni Gray requested report regarding possible Loan of SBCAG monies to Caltrans regarding the widening of Highway 101 Project - Scott McGolpin, Director of Public Works Addressed the Board.

RE: Cencal Pharmacy issues / County fire clearance yearly order issuance policy / County Recruitment Plan concerns - Second District Supervisor Janet Wolf Addressed the Board.

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

HEARING TIME: 10:08 A.M. - 10:20 A.M. (12 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) Adopted.

ORDINANCE NO. 4703

b) Adopted.

RESOLUTION NO. 09-004

Directed staff to return in approximately six months with a progress report.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Centeno

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

HEARING TIME: 10:38 A.M. - 11:03 A.M. (25 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be 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 27, 2009.

b) Set for January 27, 2009 in Santa Maria.

The motion carried unanimously.

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

HEARING TIME: 11:04 A.M. - 11:17 A.M. (13 MIN.)

A motion was made by Supervisor Wolf, seconded by Supervisor Gray, that this matter be Acted on and set for a hearing, as follows:

Received and filed staff presentation and conducted public hearing.

a) Accepted.

b) Read title, waived reading of Ordinance in it's entirety. Introduction approved; adoption (second reading) set for January 27, 2009.

c) Set for January 27, 2009 in Santa Maria.

Directed staff to present at second reading any possible additional revenue generating ideas as discussed by the Board.

The motion carried unanimously.

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

HEARING TIME: 11:18 A.M. - 11:50 A.M. (32 MIN.)

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

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

The Board of Supervisors maintain a liaison appointment to the County Retirement Board.

The motion carried unanimously.

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

The Board of Supervisors, regarding vacancies to the Board of Retirement and the appointment(s) thereto shall:

Create and establish an Ad Hoc Committee consisting of Supervisor Gray and Supervisor Wolf that will meet and establish qualifications;

With the assistance of Human Resources and the Clerk of the Board, will recruit for applicants and request that they file their resumes, which should outline their qualifications, with the Clerk of the Board. Supervisors may also receive and forward resumes to the Clerk of the Board;

The Office of the Clerk/Recorder would perform due diligence to ensure that any proposed candidates are qualified electors who are not connected with the County in any way (including family members employed with the County and economic disclosures which are necessary for all applicants) and confirm that no substantial conflict of interest exists;

The Ad Hoc Subcommittee would conduct a resume screening and interview process with the CEO, Auditor/Controller, Retirement Administrator and Treasurer/Tax Collector to review the most highly-qualified candidate(s);

A review of the most qualified applicant(s) should involve the open process of a board hearing. The County shall focus on all applicants who possess real financial/investment experience (either educational or practical) in addition to specifications outlined in staff's board letter. Appropriate applicants will be invited to make a presentation to the Board of Supervisors.

Final selection to be made by the Board of Supervisors in an open session of the Board.

Further directed staff to call on members of the public countywide who possess financial and/or investment experience (either educational or practical talent) as vital to consideration by the Board, to consider service on the Board of Retirement.

The motion carried unanimously.

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

HEARING TIME: 11:51 A.M. - 12:37 P.M. (46 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) Received and filed.

b) Adopted as amended:

Regarding the County Executive Officer's Message on page 3, revise the last sentence of paragraph 3 to also include other actions including elimination of wasteful and duplicative programs;

Remove the section regarding "Oil Tideland Lease/Revenue Sharing" until further discussion and policy determination by the Board;

Regarding the Lompoc Veterans Building, page 43, eliminate last sentence of paragraph 2 entitled Public Benefit/Impact;

Add to the list of legislative priorities to seek any and all available State and Federal revenues for the preservation and/or acquisition of the open space in the County of Santa Barbara, including but not limited to the Gaviota Coast; and

Add County of Santa Barbara priorities with respect to any State or Federal economic stimulus package with a focus on transportation and health and human services and to correct minor formatting issues as indicated by the Board at the hearing, as well as addition of State and Federal "at a glance page".

The motion carried unanimously.

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

HEARING TIME: 1:00 P.M. - 1:09 P.M. (9 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be 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 27, 2009.

b) Set for January 27, 2009 in Santa Maria.

The motion carried unanimously.

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

HEARING TIME: 1:10 P.M. - 2:50 P.M. (1 HR. 40 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) and b) Received and filed.

Directed staff to return in four weeks with a review of the policies currently in place, with an evaluation of the thresholds, policies and protocols necessary to take aggressive action to shut down an operator if they are in violation and meet the thresholds outlined by the County.

The motion carried unanimously.

Adjourned at 2:55 PM

Adjourned to

January 20, 2009

County Administration Building

Board Hearing Room

105 East Anapamu Street , Fourth Floor

Santa Barbara

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>