

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Salud Carbajal
Second District - Janet Wolf, Chair
Third District - Doreen Farr
Fourth District - Joni Gray, Vice Chair
Fifth District - Joseph Centeno

Michael F. Brown, County Executive Officer

Action Summary - Approved

Tuesday, June 1, 2010

9:00 AM

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

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, Redevelopment Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: www.countyofsb.org.

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

9:00 A.M. Reconvened to Regular Session

Roll Call

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

Pledge of Allegiance

Report from Closed Session

COUNTY COUNSEL

[10-0009](#)

Closed Session Agenda

County Counsel reported that the Board took the following action:

Approved a partial settlement agreement in County of Santa Barbara v. Elings Park Foundation, SBSC #1343634. That litigation involves County's enforcement of a restrictive covenant that County previously obtained in exchange for \$525,000 of Coastal Resource Enhancement Grants. Under the partial settlement agreement that is being filed with the Superior Court, County will allow the June 5-6 Bicycle Festival to occur this year, in exchange for Elings Park Foundation placing restrictions on the operation of this year's Bicycle Festival, including:

- The "staging" for bicycle races will occur on Elings Park North;
- Parking on Elings Park South will be limited to 60 vehicles;
- No amplified sound will be allowed on Elings Park South;
- No "beer gardens" will be allowed on Elings Park South; and
- No new bicycle trails will be constructed on Elings Park South.

Elings Park Foundation will provide a \$10,000 letter of credit to guarantee the above restrictions. The partial settlement agreement provides that the County is still litigating this enforcement case, but within the normal timeframe for Superior Court litigation.

No other reportable action taken. Details of this announcement may be obtained from the Office of the County Counsel.

Approval of Minutes of the May 25, 2010 Meeting

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, to Approve the Minutes. The motion carried by the following vote:

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

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) SUPERVISOR WOLF

10-00493

Adopt a Resolution of Commendation honoring Lieutenant Nancy (Tacy) Brown upon her retirement from the Sheriff’s Department after over 21 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 10-146

The motion carried by the following vote:

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

Resolutions to be Presented at 11:45 A.M.

A-2) SUPERVISOR WOLF [10-00494](#)

Adopt a Resolution of Commendation honoring Colonel Thomas H. Magness, IV for his service to the United States and to the citizens of Santa Barbara County.

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

RESOLUTION NO. 10-147

The motion carried by the following vote:

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

Honorary Resolutions

A-3) SUPERVISOR WOLF [10-00485](#)

Adopt a Resolution of Commendation honoring Sara Miller McCune as a recipient of the Association for Women in Communication Achievement Award.

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

RESOLUTION NO. 10-148

The motion carried by the following vote:

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

A-4) SUPERVISOR WOLF [10-00486](#)

Adopt a Resolution of Commendation honoring Marcia Meier as a recipient of the Association for Women in Communication Achievement Award.

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

RESOLUTION NO. 10-149

The motion carried by the following vote:

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

A-5) SUPERVISOR WOLF [10-00487](#)

Adopt a Resolution of Commendation recognizing Alice Forbes for her service with the Native Daughters of the Golden West.

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

RESOLUTION NO. 10-150

The motion carried by the following vote:

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

A-6) SUPERVISOR WOLF [10-00516](#)

Adopt a Resolution supporting the protection of whales and opposing resumption of commercial whaling.

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

RESOLUTION NO. 10-151

The motion carried by the following vote:

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

Administrative Items**A-7) AGRICULTURAL COMMISSIONER [10-00496](#)**

Approve and authorize the Chair to execute Agreement No. 09-0834 with the California Department of Food and Agriculture to perform regulatory activities for the Light Brown Apple Moth Program in the County of Santa Barbara, for the period of July 1, 2009 through June 30, 2010, in the amount of \$13,801.73.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved; Chair to Execute. The motion carried by the following vote:

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

A-8) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [10-00491](#)

Approve and authorize the County Executive Officer to execute a multi-year combined Negotiated Net Amount (NNA) and Drug Medi-Cal (DMC) revenue agreement and subsequent amendments with the California State Department of Alcohol and Drug Programs, for a maximum amount not to exceed \$21,534,918.00, for the period of July 1, 2010 through June 30, 2013.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved. The motion carried by the following vote:

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

A-9) COUNTY CLERK-RECORDER-ASSESSOR [10-00517](#)

Approve a Budget Revision for the cost of the special primary election proclaimed by the Governor of California to fill the 15th District State Senate seat vacancy (4/5 Vote Required)

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved. The motion carried by the following vote:

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

A-10) COUNTY EXECUTIVE OFFICE [10-00511](#)

Approve and authorize the County Executive Officer to execute and submit a letter of endorsement for the County of Santa Barbara's entries into the California State Association of Counties 2010 Challenge Awards competition.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved. The motion carried by the following vote:

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

A-11) COUNTY EXECUTIVE OFFICE [10-00515](#)

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

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved. The motion carried by the following vote:

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

A-12) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS, REDEVELOPMENT AGENCY [10-00520](#)

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

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved. The motion carried by the following vote:

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

A-13) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS,
REDEVELOPMENT AGENCY
Acting as the Board of Directors, Redevelopment Agency:

10-00502

Consider recommendations regarding a License Agreement for a UCSB Art Department Undergraduate Art Exhibit, Third District, as follows:

- a) Find that the execution of a license agreement for use of an existing building for a temporary student art show is exempt from CEQA and direct the Clerk to file the Notice of Exemption; and

- b) Approve and authorize the Chair to execute a License Agreement with Regents of the University of California to use the Redevelopment Agency owned Isla Vista Medical Clinic, located at 970 Embarcadero del Mar, Isla Vista, for a University of California, Santa Barbara Undergraduate Art Exhibit.

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

- a) Approved; and**

- b) Approved; Chair to execute.**

The motion carried by the following vote:

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

A-14) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

[10-00518](#)

Consider recommendations regarding the special duty allowance for EDP Computer Operator III, as follows:

- a) Adopt a Resolution, effective May 17, 2010, continuing a ten percent (10%) special duty allowance for one EDP Computer Operator III (Class 002432) in the Auditor Controller’s Office; and
- b) Adopt a Resolution, effective May 14, 2010, deleting a ten percent (10%) special duty allowance for one EDP Computer Operator III (Class 002432) in the Auditor-Controller’s Office.

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

a) Adopted.

RESOLUTION NO. 10-152

b) Adopted.

RESOLUTION NO. 10-153

The motion carried by the following vote:

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

A-15) COUNTY EXECUTIVE OFFICE, OFFICE OF EMERGENCY SERVICES

[10-00498](#)

Approve and authorize the County Purchasing Manager, without requiring a formal bid process, to procure emergency management software (WebEOC) for the Santa Barbara County Operational Area from Emergency Services integrators (ESi), Inc. (not a local vendor), utilizing Homeland Security Grant Program funding, for a total amount not to exceed \$160,000.00.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved. The motion carried by the following vote:

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

A-16) COUNTY EXECUTIVE OFFICE, OFFICE OF EMERGENCY SERVICES

10-00509

Approve and authorize the Chair to execute a Professional Services Contract with DELTAWRX Management Consultants (not a local vendor) to conduct a study of the communications systems within the Santa Barbara County Operational Area (SBOA), in an amount not to exceed \$120,000.00 with funding from the Department of Homeland Security, to inventory and evaluate current radio systems and determine the potential radio system(s) that may be employed to develop an interoperable communications system.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved; Chair to Execute. The motion carried by the following vote:

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

A-17) GENERAL SERVICES

10-00507

Consider recommendations regarding the Santa Barbara Courthouse (SBCH) Fire Recovery Mural Conservation Contract, PDFIRE/8700, First District, as follows: (4/5 Vote Required)

a) Approve and authorize Chair to execute a Professional Services Agreement with the South Coast Fine Art Conservation Center, Inc. (a local vendor) to provide fine art conservation cleaning, for the Santa Barbara Courthouse Mural Room's Groesbeck Murals, in an amount not to exceed \$450,000.00 including reimbursable expenses; and

b) Approve Budget Revision Request No. 0000879 for \$500,000.00, recognizing revenue from insurance reimbursements for the cleaning of the painted murals in the Santa Barbara Courthouse by South Coast Fine Arts Conservation Center, Inc., and appropriating the expenses in the General Fund 0001.

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

a) Approved; Chair to execute; and

b) Approved.

The motion carried by the following vote:

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

A-18) HOUSING AND COMMUNITY DEVELOPMENT**10-00519**

Consider recommendations regarding the Dahlia Court Expansion Project, First District, as follows:

- a) Approve the final commitment of \$972,116.00 in HOME Investment Partnerships Act (HOME) funds and \$446,489.00 in Community Development Block Grant (CDBG) funds to Peoples' Self-Help Housing Corporation for acquisition of a property and a portion of construction costs related to the development of 33 affordable rental units known as the Dahlia Court Expansion Project;
- b) Approve and authorize the Chair to execute a HOME Loan Agreement in the amount of \$972,116.00 and HOME Regulatory Agreement;
- c) Approve and authorize the Chair to execute a CDBG Loan Agreement in the amount of \$446,489.00 and CDBG Regulatory Agreement for the Dahlia Court Expansion Project; and
- d) Find that the Board of Supervisors has considered the environmental effects of Dahlia Court Expansion Project set forth in the Mitigated Negative Declaration (MND) that was prepared by the City of Carpinteria for the Dahlia Court Expansion Project and that the MND is adequate for the project.

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

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

The motion carried by the following vote:

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

A-19) PLANNING AND DEVELOPMENT

[10-00416](#)

Consider the adoption (second reading) of an Ordinance (Case No. 09ORD-00000-00009) amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code to streamline the permit process for certain agricultural projects on lands zoned agricultural.

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

ORDINANCE NO. 4750

The motion carried by the following vote:

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

A-20) PLANNING AND DEVELOPMENT[10-00488](#)

Approve and authorize execution and recordation by the Clerk of the Board of a new prime Agricultural Preserve Contract 09AGP-00000-00028 for Gary and Wendy Teixeira involving APN 129-170-025, located at 4261 Dominion Road, approximately 3 miles from the intersection of Highway 101 and Clark Road, in the Santa Maria area, Fourth District.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved; Chair to Execute. The motion carried by the following vote:

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

A-21) PLANNING AND DEVELOPMENT[10-00497](#)

Approve the certification of approval for the destruction of records after the legal retention period has been met for those records not expressly required by law to be filed or preserved permanently or for a specified period of time. (4/5 Vote Required)

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved. The motion carried by the following vote:

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

A-22) PUBLIC HEALTH

[10-00484](#)

Approve and authorize the Public Health Department Director to accept American Recovery and Reinvestment Act (ARRA) of 2009 Agreement No. 10-95322, in the amount of \$28,093.00, to provide ARRA funding to provide beach water quality monitoring and public notification services.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved. The motion carried by the following vote:

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

A-23) PUBLIC WORKS

[10-00500](#)

Approve the Proposition 1B Expenditure Plan for Fiscal Year 2009-2010 Revenues in the amount of \$5,439,139.00.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved. The motion carried by the following vote:

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

A-24) PUBLIC WORKS[10-00501](#)

Consider recommendations regarding Union Valley Parkway/Bradley Road Intersection Improvements to 900 Feet East and West and to 200 Feet North and South of Intersection, Federal Project No. ESPL 5951(129), County Project No. 862314, Fifth District, as follows:

- a) Approve plans and specifications for Union Valley Parkway/Bradley Road Intersection Improvements to 900 Feet East and West and to 200 Feet North and South of Intersection;
- b) Award the construction contract in the amount of \$ 1,386,666.13 to the lowest responsible bidder, Calportland Construction (a local vendor), P.O. Box 1280 Santa Maria, CA 93456, 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 \$ 81,833.31 for Union Valley Parkway/Bradley Road Intersection Improvements.

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

a) through d) Approved.

The motion carried by the following vote:

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

A-25) PUBLIC WORKS[10-00508](#)

Approve and authorize the Chair to execute an Amendment to the Agreement with Ag Land Services (not a local vendor) for the management of Baron Ranch, to extend the term of the current Agreement for one additional year, and increase the total not-to-exceed amount from \$409,750.00 to \$619,750.00 with \$199,750.00 for Fiscal Year 2008-2009, \$210,000.00 for Fiscal Year 2009-2010, and \$210,000.00 for Fiscal Year 2010-2011, Third District.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved; Chair to Execute. The motion carried by the following vote:

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

A-26) PUBLIC WORKS

[10-00510](#)

Approve and authorize the Chair to execute the Third Amendment to the Agreement with Clean Harbors Environmental Services, Inc. (not a local vendor) for the transportation, management, recycling, and disposal of hazardous waste collected through County solid waste collection programs. The Amendment extends the term of the current contract for two additional years to June 30, 2012 and increases the contract amount by \$735,397.00 for a total of a 7-year agreement not to exceed \$2,877,810.00.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved; Chair to Execute. The motion carried by the following vote:

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

A-27) PUBLIC WORKS

[10-00513](#)

Adopt a Resolution to authorize the submittal of annual applications to the California Department of Resources Recycling and Recovery (CalRecycle) for regional funding under the Used Oil Payment Program.

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

RESOLUTION NO. 10-154

The motion carried by the following vote:

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

A-28) PUBLIC WORKS

10-00514

Consider recommendations regarding the prohibition of access on the east end of Cuna Drive, in the Santa Barbara area, Second District, as follows:

- a) Adopt a Resolution prohibiting entry to, and exit from, the east end of Cuna Drive; and
- b) Approve the Project and Categorical Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines under section 15301 for prohibiting access on the east end of Cuna Drive.

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

a) Adopted; and

RESOLUTION NO. 10-155

b) Approved.

The motion carried by the following vote:

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

A-29) SHERIFF[10-00495](#)

Consider recommendations regarding a waiver of the Competitive Bid Process for the purchase of law enforcement equipment, as follows: (4/5 Vote Required)

a) Approve and authorize the Purchasing Agent to procure evidence storage lockers for the Sheriff's Department without being required to conduct a formal bid process, for the period ending June 30, 2010; and

b) Approve Budget Revision Request No. 0000911 recognizing the release of asset forfeiture funds and appropriating expenditures within the Santa Barbara Sheriff's Department.

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

a) and b) Approved.

The motion carried by the following vote:

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

A-30) SOCIAL SERVICES[10-00490](#)

Approve and authorize the Chair to execute a Contract with Arbor Education and Training, LLC (not a local vendor) for the purpose of providing state-mandated orientation, appraisals, job services/job club, assessment testing, career advancement/job bridging, and training and site support for Work Experience/Community Services, for the period of July 1, 2010 through June 30, 2013, at a cost not to exceed \$3,343,233.00. Annual payments are not to exceed \$1,081,911.00 for the first year, \$1,113,671.00 for the second year, and \$1,147,651.00 for the third year.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved; Chair to Execute. The motion carried by the following vote:

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

Hearing Requests

A-31) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [10-00492](#)

Set hearing to consider recommendations regarding Mental Health Services Published Charges, as follows:

(Set hearing for 6/15/10. Time estimate 15 minutes.)

a) Consider the introduction (first reading) of an Ordinance adjusting the Santa Barbara County Published Charges for Psychiatric Health Facility and outpatient mental health service; and

b) Set hearing for the Administrative Agenda of June 22, 2010 to consider the adoption (second reading) of an Ordinance adjusting the Santa Barbara County Published Charges for Psychiatric Health Facility and outpatient mental health service, effective 30 days after adoption by the Board of Supervisors.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 15, 2010 in Santa Maria (EST. TIME: 15 MIN.). The motion carried by the following vote:

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

A-32) GENERAL SERVICES [10-00489](#)

Set hearing to receive and file a staff report regarding the County of Santa Barbara Sustainability Action Plan.

(Set hearing for 6/22/10. Time estimate 30 minutes.)

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 22, 2010 in Santa Barbara (EST. TIME: 30 MIN.). The motion carried by the following vote:

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

A-33) PLANNING AND DEVELOPMENT[10-00387](#)

Set hearing to consider Case No. 09APL-00000-00032, the Decker appeal of the Montecito Planning Commission's (MPC) October 28, 2009 denial of Case No. 09APL-00000-00020, located at 670 Stonehouse Lane (APN 155-060-030), in the Montecito area, First District, as follows:

(Set hearing for 6/22/10. Time estimate 1 hour.)

- a) Deny the appeal, Case No. 09APL-00000-00032, thereby upholding the MPC's denial of the Decker appeal, case number 09APL-00000-00020, which upheld the June 29, 2009 Montecito Board of Architectural Review's denial of case number 08BAR-00000-00145;
- b) Make the required findings for denial of 08BAR-00000-00145, as shown in the November 4, 2009 MPC Action Letter; and
- c) Determine that the project is exempt from environmental review, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15270.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 22, 2010 in Santa Barbara (EST. TIME: 1 HR.). The motion carried by the following vote:

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

A-34) PUBLIC WORKS

10-00499

Set hearing to consider recommendations regarding Solid Waste Tipping Fees, Collection Rates and Parcel Fee Schedules for Fiscal Year 2010-2011, as follows:
(Set hearing for 6/15/10. Time estimate 20 minutes.)

- a) Adopt a Resolution, effective July 1, 2010, setting the fee schedules for solid waste handling and disposal fees at County and solid waste collection rates in the unincorporated area;
- b) Adopt a Resolution, effective July 1, 2010, setting the Parcel Fee Schedule for the Cuyama Valley for Fiscal Year 2010-2011; and
- c) Accept the Notice of Exemption pursuant to the County’s California Environmental Quality Act (CEQA) Guidelines.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 15, 2010 in Santa Maria (EST. TIME: 20 MIN.). The motion carried by the following vote:

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

A-35) PUBLIC WORKS10-00503

Set hearing to consider recommendations regarding the establishment of Benefit Assessments for County Service Area 31 (CSA 31) for Fiscal Year 2010-2011, Third District, as follows:

(Set hearing for 6/22/10. Time estimate 15 minutes.)

a) Adopt a Resolution setting a public hearing for County Service Area 31 (CSA 31) to consider the following recommendations:

i) Receive and file a report entitled "Fixed Charges Fee Report for fiscal year 2010-2011" with the Clerk of the Board, which proposes no change to the benefit assessment rates for CSA 31;

ii) Adopt a Resolution establishing benefit assessments CSA 31 for Fiscal Year 2010-2011; and

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

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 22, 2010 in Santa Barbara (EST. TIME: 15 MIN.). The motion carried by the following vote:

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

A-36) PUBLIC WORKS10-00504

Set hearing to consider recommendations regarding the establishment of Benefit Assessments for County Service Area 3 (CSA 3) for Fiscal Year 2010-2011, Second and Third Districts, as follows:

(Set hearing for 6/22/10. Time estimate 15 minutes.)

a) Adopt a Resolution setting a public hearing for County Service Area 3 (CSA 3) to consider the following recommendations:

i) Receive and file a report entitled "Fixed Charges Fee Report for fiscal year 2010-2011" with the Clerk of the Board, which proposes no change to the streetlighting benefit assessment rates for CSA 3;

ii) Adopt at the conclusion of the public hearing on June 22, 2010 the attached resolution establishing streetlighting charges for CSA 3 for fiscal year 2010-2011.

iii) Approve Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 22, 2010 in Santa Barbara (EST. TIME: 15 MIN.). The motion carried by the following vote:

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

A-37) PUBLIC WORKS10-00505

Set hearing to consider recommendations regarding an Ordinance pertaining to Vehicle Code Enforcement of Private Roads in Hope Ranch Community, Second District, as follows:
(Set hearing for 6/22/10. Time estimate 45 minutes.)

a) Set hearing to consider the introduction (first reading) of an Ordinance amending Chapter 23 of the Santa Barbara County Code pertaining to the ability to enforce the Vehicle Code on select private roads in Hope Ranch;

b) Review the Traffic Engineering Report submitted by Penfield and Smith pertaining to the implementation and enforcement of traffic control devices on select private roads in Hope Ranch;

c) Set a hearing for July 6, 2010 on the Administrative Agenda to consider the following recommendations:

i) Consider the adoption (second reading) of an Ordinance amending Chapter 23 of the Santa Barbara County Code, pertaining to the ability to enforce the Vehicle Code on select private roads in Hope Ranch; and

ii) Approve the findings in the Traffic Engineering Report submitted by Penfield and Smith pertaining to the implementation and enforcement of traffic control devices on select private roads in Hope Ranch; and

d) Approve the Project and Categorical Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines under section 15301 for implementation of the enforcement on private roads in the Hope Ranch community as described herein.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 22, 2010 in Santa Barbara (EST. TIME: 45 MIN.). The motion carried by the following vote:

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

Board of Supervisors

A-38) SUPERVISOR FARR

[10-00521](#)

Approve the reappointment of Joan Davidson to the Santa Barbara County Arts Commission, term ending June 30, 2013, Third District.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Approved. The motion carried by the following vote:

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

Approval of Administrative Agenda

HEARING TIME: 9:15 A.M. - 9:35 A.M. (20 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Farr, to Approve the Administrative Agenda as Amended. The motion carried by the following vote:

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

Board Member Reports

HEARING TIME: 9:36 A.M. - 9:37 A.M. (1 MIN.)

Re: Presented "County of Santa Barbara KIDS" - a child's guide to County Government developed by Terry Maus-Nisich, Deputy CEO - Second District Supervisor Janet Wolf Addressed the Board.

Public Comment Period

HEARING TIME: 9:38 A.M. - 9:58 A.M. (20 MIN.)

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (10-00001)

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

RE: DA Election / Racism - Dr. Robert L. Johns Addressed the Board.

RE: County budget cuts to human service funds and AIDS services & programs - David Selberg, Ron Alexander and Cassandra Chavez Addressed the Board.

RE: Possible Brown Act violation - Andy Caldwell Addressed the Board.

RE: County presented with Energy Award - Tim Mahoney of So Cal Gas Company Addressed the Board.

RE: Procedures to follow when Board is subjected to a public speaker who engages in repetitive attacks on one or more supervisor - County Counsel Dennis Marshall Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

- 1) COUNTY EXECUTIVE OFFICE, OFFICE OF EMERGENCY SERVICES, PUBLIC HEALTH 10-00475
HEARING - Receive and file a report from County staff regarding the activities related to homeless warming centers during the past 2009-2010 winter season, based on information received from local volunteers and providers of homeless warming center services. (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 10:12 A.M. - 10:24 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.

Directed staff to return with a final report in September, 2010.

The motion carried by the following vote:

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

2) SUPERVISOR CENTENO[10-00428](#)

HEARING - Consider recommendations regarding adding Chapter 48 to the County Code known as the Santa Barbara County Social Host Ordinance, as follows: (EST. TIME: 2 HRS.)

a) Consider the introduction (first reading) of an Ordinance entitled, An Ordinance of the Board of Supervisors of the County of Santa Barbara Adding Chapter 48 to Prohibit Underage Drinking; and

b) Set a hearing for June 15, 2010, on the Administrative Agenda, to consider the adoption (second reading) of the Ordinance entitled, An Ordinance of the Board of Supervisors of the County of Santa Barbara Adding Chapter 48 to the County Code to Prohibit Underage Drinking and direct the Sheriff not to cite anyone for an additional 60 day period to allow for community education.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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

Received and filed staff presentation and conducted public hearing.

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

- a) Read title, waived reading of Ordinance in it's entirety. Introduction approved; adoption (second reading) set for June 15, 2010.
- b) Set hearing on the Administrative Agenda for June 15, 2010 in Santa Maria.

Directed staff as follows:

- i) Review potential for ADHMS to take the lead in establishing the educational programs, informational documents and all necessary tools to address parents, students and any other community members and groups regarding the changes in law upon the adoption of the Ordinance;
- ii) Human Resources Director to interface with County Superintendent of Schools to promote the educational component of the Ordinance throughout the County between the months of September, October and November, 2010;
- iii) Directed Sheriff not to cite any individual until after this educational period has passed;
- iv) Revised Ordinance title to read: "Social Host Liability Ordinance"; and
- v) Directed the development of protocols for the appeal process be established and returned to the Board for review.

Further directed staff to return to the Board in one year with a status report.

The motion carried by the following vote:

- Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Gray, and Supervisor Centeno
- Noes: 1 - Supervisor Farr

3) PLANNING AND DEVELOPMENT[10-00349](#)

HEARING - Consider recommendations regarding an appeal filed by the Friends of Mission Canyon (09APL-00000-00031) of the Planning Commission's October 26, 2009 approval of the Santa Barbara Botanic Garden's Vital Mission Plan project, located at 1212 Mission Canyon Road in the Mission Canyon area, First District, as follows: (EST. TIME: 30 MIN.)

- a) Deny the appeal, Case No. 09APL-00000-00031, thereby upholding the County Planning Commission's approval of 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) as revised herein;
- b) Make the required findings for approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), including California Environmental Quality Act (CEQA) findings;
- c) Certify the Final Environmental Impact Report, 07EIR-00000-00001, including the FEIR Revision Letter (RV1), and adopt the mitigation monitoring program contained in the conditions of approval; and
- d) Grant de novo approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), as revised from the Planning Commission approval, subject to the revised conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 2:00 P.M. - 5:00 P.M. (3 HRS.)

Received and filed staff presentation and conducted public hearing.

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

Received and filed staff presentation and conducted public hearing.

- a. Denied the appeal, 09APL-00000-00031, thereby upholding the County Planning Commission's approval of 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) as revised;
- b. Made the required findings for approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) included as Attachment 1, including CEQA findings, as revised at the hearing of June 1, 2010;
- c. Certified the Final Environmental Impact Report, 07EIR-00000-00001, including the FEIR Revision Letter (RV1) (Attachment 3), and adopted the mitigation monitoring program contained in the conditions of approval; and
- d. Granted de novo approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), subject to the conditions of approval included as Attachment 4, as revised at the hearing of June 1, 2010.

The motion carried by the following vote:

- Ayes:** 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Centeno
- Absent:** 1 - Supervisor Gray

4) PLANNING AND DEVELOPMENT[10-00351](#)

HEARING - Consider recommendations regarding an appeal filed by the Mission Canyon Association (09APL-00000-00030) of the Planning Commission's October 26, 2009 approval of the Santa Barbara Botanic Garden's Vital Mission Plan project, located at 1212 Mission Canyon Road in the Mission Canyon area, First District, as follows: (EST. TIME: 30 MIN.)

- a) Deny the appeal, Case No. 09APL-00000-00030, thereby upholding the County Planning Commission's approval of 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) as revised herein;
- b) Make the required findings for approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), including California Environmental Quality Act (CEQA) findings;
- c) Certify the Final Environmental Impact Report, 07EIR-00000-00001, including the FEIR Revision Letter (RV1), and adopt the mitigation monitoring program contained in the conditions of approval; and
- d) Grant de novo approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), as revised from the Planning Commission approval, subject to the revised conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 2:00 P.M. - 5:00 P.M. (3 HRS.)

Received and filed staff presentation and conducted public hearing.

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

- a. Denied the three Planning Commission Appeals, 09APL-00000-00030, thereby upholding the County Planning Commission's approval of 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) as revised;**
- b. Made the required findings for approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) included as Attachment 1, including CEQA findings, as revised at the hearing of June 1, 2010;**
- c. Certified the Final Environmental Impact Report, 07EIR-00000-00001, including the FEIR Revision Letter (RV1) (Attachment 3), and adopted the mitigation monitoring program contained in the conditions of approval; and**
- d. Granted de novo approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), subject to the conditions of approval included as Attachment 4, as revised at the hearing of June 1, 2010.**

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

5) PLANNING AND DEVELOPMENT[10-00352](#)

HEARING - Consider recommendations regarding an appeal filed by Frank Arredondo and Friends of Xana'yan (09APL-00000-00029) of the Planning Commission's October 26, 2009 approval of the Santa Barbara Botanic Garden's Vital Mission Plan project, located at 1212 Mission Canyon Road in the Mission Canyon area, First District, as follows: (EST. TIME: 30 MIN.)

- a) Deny the appeal, Case No. 09APL-00000-00029, thereby upholding the County Planning Commission's approval of 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) as revised herein;
- b) Make the required findings for approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan);
- c) Certify the Final Environmental Impact Report, 07EIR-00000-00001, including the FEIR Revision Letter (RV1), and adopt the mitigation monitoring program contained in the conditions of approval; and
- d) Grant de novo approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), as revised from the Planning Commission approval, subject to the revised conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 2:00 P.M. - 5:00 P.M. (3 HRS.)

Received and filed staff presentation and conducted public hearing.

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

- a. Denied the three Planning Commission Appeals, 09APL-00000-00029, thereby upholding the County Planning Commission's approval of 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) as revised;**
- b. Made the required findings for approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) included as Attachment 1, including CEQA findings, as revised at the hearing of June 1, 2010;**
- c. Certified the Final Environmental Impact Report, 07EIR-00000-00001, including the FEIR Revision Letter (RV1) (Attachment 3), and adopted the mitigation monitoring program contained in the conditions of approval; and**
- d. Granted de novo approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), subject to the conditions of approval included as Attachment 4, as revised at the hearing of June 1, 2010.**

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

6) PLANNING AND DEVELOPMENT10-00350

HEARING - Consider recommendations regarding the appeal filed by the Santa Barbara Botanic Garden (09APL-00000-00041) of the Historic Landmarks Advisory Commission's (HLAC) November 9, 2009 action regarding the Botanic Garden's Vital Mission Plan project, located at 1212 Mission Canyon Road in the Mission Canyon area, First District, as follows: (EST. TIME: 15 MIN.)

- a) Deny the appeal by the Santa Barbara Botanic Garden (09APL-00000-00041);
- b) Approve the findings pursuant to Resolution 2003-059;
- c) Uphold the Historic Landmarks Advisory Commission's action subject to the following modifications:
 - i) Do not require review and approval of a restoration plan for the Meadow Terrace area by the HLAC;
 - ii) Do not require review and approval of the paving and hardscape plan by the HLAC; and
 - iii) Limit the HLAC's review of the Cultural Landscape Master Plan to the portion located within Landmark No. 24; and
- d) Accept the previously certified Final Environmental Impact Report, 07EIR-00000-00001, for the Santa Barbara Botanic Garden's 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), the adoption of the mitigation monitoring program, and the findings as adequate for CEQA for this action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 2:00 P.M. - 5:00 P.M. (3 HRS.)

Received and filed staff presentation and conducted public hearing.

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

- a. Denied the appeal by the Santa Barbara Botanic Garden (09APL-00000-00041);
- b. Made the findings pursuant to Resolution 2003-059 included as Attachment 2;
- c. Upheld the Historic Landmarks Advisory Commission’s action subject to the following modifications: 1) do not require review and approval of a restoration plan for the Meadow Terrace area by the HLAC, 2) limit review and approval of the paving and hardscape plan by the HLAC to the portion located within Landmark #24, and 3) limit the HLAC’s review of the Cultural Landscape Master Plan to the portion located within Landmark #24; and
- d. Accepted the previously certified Final Environmental Impact Report, 07EIR-00000-00001, for the Santa Barbara Botanic Garden’s 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), the adoption of the mitigation monitoring program, and the findings included as Attachment 1, as revised, as adequate for CEQA for this action.

The motion carried by the following vote:

- Ayes:** 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Centeno
- Absent:** 1 - Supervisor Gray

7) AGRICULTURAL COMMISSIONER

10-00466

HEARING - Consider recommendations regarding an Ordinance relating to the Agricultural Commissioner’s Revised Fee Schedule, as follows: (EST. TIME: 20 MIN.)

- a) Consider the introduction (first reading) of an Ordinance amending the Agricultural Commissioner’s Fee Schedule; and
- b) Set hearing for June 15, 2010 on the Administrative Agenda to consider the adoption (second reading) of an Ordinance amending the Agricultural Commissioner’s Fee Schedule.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 4:08 P.M. - 4:10 P.M. (2 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Read title, waived reading of Ordinance in it's entirety. Introduction approved; adoption (second reading) set for June 15, 2010.**
- b) Set hearing on the Administrative Agenda for June 15, 2010 in Santa Maria.**

The motion carried by the following vote:

- Ayes:** 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Centeno
- Absent:** 1 - Supervisor Gray

8) COUNTY EXECUTIVE OFFICE[10-00479](#)

HEARING - Consider and adopt responses to the Grand Jury Report titled, "Under the Radar and Under the Gun - Budget Cuts Threaten the Frail and Elderly and the Disabled of All Ages", as follows: (EST. TIME: 15 MIN.)

a) Adopt responses as the Board of Supervisors' responses to the Grand Jury Report, "Under the Radar and Under the Gun - Budget Cuts Threaten the Frail, Elderly and the Disabled of All Ages"; and

b) Approve and authorize the Chair to execute a letter forwarding responses to the Presiding Judge.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 3:18 P.M. - 3:28 P.M. (10 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Adopted responses, as revised at the hearing of June 1, 2010 as follows:

Recommendation 2 - Response:

Replace "... Funding for such an effort 'would only' be available ..."

Instead of "... Funding for such an effort 'may' be available ..."

b) Approved, Chair to execute.

The motion carried by the following vote:

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

9) GENERAL SERVICES10-00506

HEARING - Consider recommendations regarding the Santa Maria Court Clerk's Building, Project No. 8526, Award Construction Contract, Fifth District, as follows: (EST. TIME: 20 MIN.)

a) Reject the bid submitted by Lewis C. Nelson and Sons, Inc. (Nelson) as non-responsive, based on the following findings to be made by your Board:

i) The irregularities in Nelson's bid were material and render the bid non-responsive;

ii) The listing of a roofing subcontractor who has not specialized in Tremco Roofing products, is not approved, authorized or licensed by Tremco, and is not eligible to receive a twenty-year Tremco manufacturer's warranty, all as required by the bid documents, conferred on Nelson an unfair competitive advantage during bidding; and

iii) To the extent that the deviations from bid requirements may be considered immaterial, the Board elects to exercise its discretion by declining to waive the irregularities in Nelson's bid;

b) Find that the non-responsiveness of Nelson's bid renders moot any requirement for a hearing on its claim of "inadvertent clerical error" regarding incorrect subcontractor listings;

c) Award a fixed price Construction Contract to the lowest responsive, responsible bidder, Vernon Edwards Constructors, Inc., (Edwards) (a local vendor) in the amount of \$3,569,098.00, subject to the provisions of the Contract and the plans and specifications applicable to the project;

d) Authorize the Director of General Services or his designee to approve change orders up to the limit specified in Public Contract Code Section 20142, or \$150,000.00 for this Contract; and

e) 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.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 9:51 A.M. - 9:52 A.M. (2 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Continued, as follows: June 15, 2010 in Santa Maria (EST. TIME: 20 MIN.). The motion carried by the following vote:

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

10) PUBLIC WORKS10-00298

HEARING - Consider recommendations regarding a County Service Area 12 (Mission Canyon Sewer District) Resolution Relative to Septic Management Administration Charges on the Tax Roll, First District, as follows: (EST. TIME: 15 MIN.)

- a) Receive and file a report entitled "Mission Canyon Sewer District Septic Management Fixed Charges Fee Report for Fiscal Year 2010-2011", which proposes the septic system management charges, with no change proposed this year, for County Service Area 12;
- b) Adopt a Resolution establishing the septic system management charges for the County Service Area 12 (Mission Canyon Sewer District) and provide for collection on the Tax Rolls for Fiscal Year 2010-2011; and
- c) Approve a Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 4:11 P.M. - 4:12 P.M. (1 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Received and filed.

b) Adopted.

RESOLUTION NO. 10-156

d) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

11) PUBLIC WORKS

10-00297

HEARING - Consider recommendations regarding a County Service Area 12 (Mission Canyon Sewer District) Resolution Relative to Sewer Connection Fees, Sewer Service Charges and the Collection of Said Charges on the Tax Roll, First District, as follows: (EST. TIME: 15 MIN.)

- a) Receive and file a report entitled “Mission Canyon Sewer District Fixed Charges Fee Report for Fiscal Year 2010-2011”, which proposes a sewer service charge increase of 2.72%, from \$698.00 to \$717.00 per connection per year, for County Service Area 12;
- b) Adopt a Resolution establishing service charges for County Service Area 12 (Mission Canyon Sewer District) and provide for collection on the Tax Rolls for Fiscal Year 2010-2011; and
- c) Approve Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 4:11 P.M. - 4:12 P.M. (1 MIN.)

Received and filed staff presentation and conducted public hearing.

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

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

RESOLUTION NO. 10-157

d) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

12) PUBLIC WORKS10-00422

HEARING - Consider recommendations regarding the Road Maintenance Annual Plan, Fiscal Year 2010-2011, as follows: (4/5 Vote Required) (EST. TIME: 20 MIN.)

- a) Adopt the Fiscal Year 2010-2011 Road Maintenance Annual Plan (RdMap);
- b) Approve the funded projects listed for Maintenance Program (County Forces) and Surface Treatment Program (Contracts/County Forces) within the Road Maintenance Annual Plan;
- c) Approve Notices of Exemption pursuant to the County's California Environmental Quality Act (CEQA) Guidelines Section 15302(c), pertaining to operations and maintenance of existing facilities for the above;
- d) Authorize the Director of Public Works to advertise the above mentioned projects contained within the Fiscal Year 2010-2011 Road Maintenance Annual Plan; and
- e) Reprogram 2007 Proposition 1B funds in the amount of \$350,000.00 from the Tepusquest Road Bridge to the Cottonwood Canyon Road paving project.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 4:13 P.M. - 4:15 P.M. (2 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Continued, as follows: June 15, 2010 in Santa Maria (EST. TIME: 20 MIN.). The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

13) PLANNING AND DEVELOPMENT10-00250

HEARING - Consider recommendations regarding the allocation of 2010 Coastal Resource Enhancement Fund Grants, as follows: (EST. TIME: 1 HR.)

- a) Receive and file staff's recommended options for CREF awards and take public testimony;
- b) Select an option and approve CREF awards for General Allocation in the 2010 CREF cycle, along with the specific preliminary conditions of awards;
- c) Direct staff to prepare the required contractual agreements with grantees, including final grant conditions required, for approval by the Board of Supervisors of the non-County CREF awards; and
- d) Set a hearing for September 7, 2010 to consider staff recommendations for awarding grants to fund coastal acquisitions.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 5:15 P.M. - 5:45 P.M. (30 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) Received and filed;

b) Selected Option 2 and approved CREF awards for General Allocation (as revised at the hearing on June 1, 2010) as follows:

Seabird Care Facility, SBWCN - \$191,000.00
Rincon Creek Arundo, Ag Comm - \$20,000.00
Santa Claus Street Plan, P&D, LRP - \$68,888.88
Lookout Park Arundo, Ag Comm - \$8,500.00
Summerland Plan, P&, LRP - \$68,791.00
Shoreline Park Signs, City of SB - \$40,000.00
Gaviota Coast Plan, P&D, LRP - \$280,710.00
Shorebird Exhibit, SMNHM - \$12,309.00

c) Directed; and

d) Set hearing for September 7, 2010 in Santa Barbara.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Gray

Adjourned at 5:50 PM

Adjourned to

June 7, 2010

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

Announcements

The meeting of Tuesday, June 1, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, June 3, 2010, at 5:00 PM and on Saturday, June 5, 2010, at 10:00 AM on CSBTV Channel 20.

The Public Hearings on the County's Proposed Budget for 2010-2011 are scheduled for Monday, June 7, 2010 and Wednesday June 9, 2010 with the Board of Supervisors' final determination scheduled for Friday, June 11, 2010; however, the Board may choose to extend the hearings through June 18, 2010.

<http://www.countyofsb.org>