

**County of Santa Barbara**  
**BOARD OF SUPERVISORS**  
**ACTION SUMMARY**

**May 19, 2009**

**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](http://www.countyofsb.org)

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

**9:00 A.M. .... Reconvened to Regular Session**

*CONVENED AT 9:03 A.M.*

**Roll Call**

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

**Pledge of Allegiance**

**Report from Closed Session**

1)

[File Reference No. 09-00490](#)

Closed Session Agenda

**In the matter of Save Gaviota Coast Conservancy v County of Santa Barbara et al; The Board of Supervisors, by a vote of 5:0, declined to appeal the Superior Court decision.**

**Details of this announcement may be obtained in the Office of County Counsel.**

**Approval of Minutes of the May 12, 2009 Meeting**

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

**Administrative Agenda**

**Resolutions to be Presented at 9:15 A.M.**

A-1) SUPERVISOR WOLF

[File Reference No. 09-00454](#)

Adopt a Resolution acknowledging the work of the More Mesa Preservation Coalition.

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

**RESOLUTION NO. 09-155**

**The motion carried unanimously.**

A-2) SUPERVISOR CARBAJAL and SUPERVISOR CENTENO

[File Reference No. 09-00488](#)

Adopt a Resolution proclaiming Santa Barbara County as a 2010 U.S. Census Partner.

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

**RESOLUTION NO. 09-156**

**The motion carried unanimously.**

- A-3) SUPERVISOR WOLF [File Reference No. 09-00400](#)
- Adopt a Resolution recognizing the importance of the local lemon industry and lemon growers for their important and valuable contributions to local agriculture and to the quality of life in Santa Barbara County.
- A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Adopted**
- RESOLUTION NO. 09-157**
- The motion carried unanimously.**
- A-4) SUPERVISOR FARR [File Reference No. 09-00388](#)
- Adopt a Resolution honoring the 45th anniversary of PathPoint.
- A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Adopted**
- RESOLUTION NO. 09-158**
- The motion carried unanimously.**
- A-5) SUPERVISOR CENTENO [File Reference No. 09-00376](#)
- Adopt a Resolution proclaiming April 25 - May 2, 2009 as National Infant Immunization Week, and the month of May 2009 as Toddler Immunization Month in Santa Barbara County.
- A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Adopted**
- RESOLUTION NO. 09-159**
- The motion carried unanimously.**
- A-6) SUPERVISOR CENTENO [File Reference No. 09-00399](#)
- Adopt a Resolution proclaiming the month of May 2009 as Older American's Month in Santa Barbara County.
- A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Adopted**
- RESOLUTION 09-160**
- The motion carried unanimously.**
- A-7) SUPERVISOR CENTENO [File Reference No. 09-00457](#)
- Adopt a Resolution proclaiming May 2009 as Veterans Appreciation Month in Santa Barbara County.
- A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Adopted**
- RESOLUTION NO. 09-161**
- The motion carried unanimously.**

A-8) SUPERVISOR CENTENO [File Reference No. 09-00458](#)

Adopt a Resolution proclaiming May 2009 as International Composting Awareness Month in Santa Barbara County.

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

**RESOLUTION NO. 09-162**

**The motion carried unanimously.**

A-9) SUPERVISOR CENTENO [File Reference No. 09-00482](#)

Adopt a Resolution proclaiming May 2009 as National Foster Care Month in Santa Barbara County.

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

**RESOLUTION NO. 09-163**

**The motion carried unanimously.**

### **Honorary Resolutions**

A-10) SUPERVISOR CARBAJAL and SUPERVISOR WOLF [File Reference No. 09-00455](#)

Adopt a Resolution of Commendation honoring Anne and Tom Heck as recipients of the League of Women Voters of Santa Barbara Outstanding Community Service Award.

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

**RESOLUTION NO. 09-164**

**The motion carried unanimously.**

A-11) SUPERVISOR CARBAJAL and SUPERVISOR WOLF [File Reference No. 09-00456](#)

Adopt a Resolution of Commendation honoring Herbert Linville as a recipient of the League of Women Voters of Santa Barbara Outstanding Community Service Award.

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

**RESOLUTION NO. 09-165**

**The motion carried unanimously.**

**Administrative Items**

- A-12) COUNTY EXECUTIVE OFFICE and OFFICE OF EMERGENCY SERVICES [File Reference No. 09-00453](#)

Consider recommendations regarding the Jesusita Fire, as follows:

- a) Receive an update on the status of the Jesusita Fire; and
- b) Adopt a Resolution ratifying the Proclamation of a Local Emergency related to the Jesusita Fire pursuant to Government Code Sections 8558 and 8630 and confirming the request to the Governor of California, by the Acting Director of Emergency Services, to proclaim the County of Santa Barbara to be in a State of Emergency.

**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. 09-166**

**The motion carried unanimously.**

- A-13) COUNTY EXECUTIVE OFFICE [File Reference No. 09-00489](#)

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

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

- A-14) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 09-00492](#)

Consider recommendations regarding a contract extension with the Probation Peace Officers Association, as follows:

- a) Approve modifications to the current Memorandum of Understanding (MOU) with the Probation Peace Officers Association (PPOA), that eliminate a previously-negotiated 3% equity adjustment and two previously-negotiated increases in biweekly benefit allowance totaling \$50 per pay period; and
- b) Approve an extension of the current MOU with PPOA through September 29, 2013 incorporating the changes summarized.

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

**a) and b) Approved.**

**The motion carried unanimously.**

A-15) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[File Reference No. 09-00493](#)

Adopt a Resolution effective May 18, 2009 adjusting the Department/Corporate Leader pay range for the Santa Barbara County Employees' Retirement System Chief Executive Officer from the current approximate maximum annual salary of \$194,102 to \$212,886 (approximately a 10% increase to the top of the pay range).

**Acted on as follows:**

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

**To consider Administrative Item A-15) as a separate matter.**

**The motion carried unanimously.**

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

**No action taken on item A-15).**

**The motion carried as follows:**

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

**Noes: 1 - Supervisor Gray**

A-16) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[File Reference No. 09-00494](#)

Adopt a Resolution effective May 18, 2009 setting the annual compensation of the Santa Barbara County District Attorney at \$210,765.

**Acted on as follows:**

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

**To consider Administrative Item A-16) as a separate matter.**

**The motion carried unanimously.**

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

**No action taken on item A-16).**

**The motion carried as follows:**

**Ayes: 3 - Supervisor Carbajal, Supervisor Wolf and Supervisor Farr**

**Noes: 1 - Supervisor Gray**

**Abstentions: 1 - Supervisor Centeno**

A-17) GENERAL SERVICES[File Reference No. 09-00461](#)

Consider recommendations regarding an Alumni Corner Solar Parking Lot Construction Contract Award in the Isla Vista area, County Project No. 8680, Third District, as follows:

- a) Award a Fixed Price Construction Contract in the amount of \$760,000.00 to the lowest responsible bidder, S.J. Deferville Construction, Inc. of Santa Maria, California (a local vendor), subject to the provisions of the documents and certifications as set forth in the plans and specifications applicable to the project and as required by California law;
- b) Authorize the Director of General Services to approve change orders of an amount not to exceed 10% of a base amount of \$250,000.00 plus 5% of the bid in excess of the base amount, or \$50,500 for this contract; and
- c) Approve a contingency fund in the amount of \$76,000.00 for the Alumni Corner Solar Parking Lot Project.

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

- a) **Approved.**
- b) **Authorized.**
- c) **Approved.**

**The motion carried unanimously.**

A-18) GENERAL SERVICES[File Reference No. 09-00474](#)

Approve and authorize the Chair to execute a janitorial services contract for Goleta facilities with Service Master CBM of Goleta (a local vendor) in the amount of \$189,378.90. The contract period will run from July 1, 2009 through June 30, 2011, Second District.

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

A-19) PARKS[File Reference No. 09-00463](#)

Consider recommendations regarding the construction of Cachuma Lake Sewer Lift Station No. 3 Improvements, Project No. D00099, Third District, as follows:

- a) Approve the plans and specifications for the construction of Cachuma Lake Sewer Lift Station No. 3 Improvements, Project No. D00099;
- b) Award the construction contract in the amount of \$676,911.00 to the lowest responsible bidder, Raminha Construction Inc., located at 6805 Sycamore Road, Atascadero, CA 93422 (not a local vendor), subject to the provisions 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 upon the review and approval of the County Counsel, Auditor-Controller, and Risk Manager or their authorized representatives; and
- d) Approve a contingency fund in the amount of \$46,345.55 for the construction of Cachuma Lake Sewer Lift Station No. 3 Improvements.

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

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

**The motion carried unanimously.**

A-20) PARKS[File Reference No. 09-00468](#)

Consider recommendations regarding the acceptance of donation and appropriation of \$44,000 from the Goleta Valley Land Trust towards Development of the Baron Ranch Trail in the Gaviota Coastal Area, Third District, as follows: (4/5 Vote Required)

- a) Accept a donation of \$44,000 from the Goleta Valley Land Trust towards development of the Baron Ranch Trail in the Gaviota coastal area;
- b) Approve a budget revision to appropriate the \$44,000 donation to the Parks Capital Outlay Fund towards development of the Baron Ranch Trail; and
- c) Authorize the Parks Director to act as agent for the County to conduct all negotiations and execute and submit all documents, including agreements, payment requests, and other documents that may be necessary for the completion of the project.

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

- a) **Accepted.**
- b) **Approved.**
- c) **Authorized.**

**The motion carried unanimously.**



A-21) PARKS[File Reference No. 09-00469](#)

Consider recommendations regarding the allocation of \$53,000 from the Santa Maria Quimby Fee Agency Fund towards Playground Improvements at Benjamin Foxen Elementary School in the Community of Sisquoc, Fifth District, as follows: (4/5 Vote Required)

a) Approve a budget revision to appropriate \$53,000 from the Santa Maria Quimby Fee Agency Fund (No. 1403) towards playground improvements at Benjamin Foxen Elementary School in the unincorporated community of Sisquoc; and

b) Authorize the Parks Director to execute an inter-agency agreement with the Blochman Union School District to ensure that the Quimby grant funds are used for their intended purpose as well as other conditions.

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

**a) Approved.**

**b) Authorized.**

**The motion carried unanimously.**

A-22) PARKS[File Reference No. 09-00470](#)

Consider recommendations regarding the allocation of \$9,800 from the Orcutt Quimby Fee Agency Fund for Replacement of Baseball Field Bleachers for the Orcutt Babe Ruth League, Fourth District, as follows: (4/5 Vote Required)

a) Approve a budget revision to appropriate \$9,800 from the Orcutt Quimby Fee Agency Fund (No. 1397) for replacement of baseball field bleachers located in Waller County Park in Santa Maria that are used by the Orcutt Babe Ruth League; and

b) Authorize the Parks Director to execute an inter-agency agreement with the Orcutt Babe Ruth League to ensure that the Quimby grant funds are used for their intended purpose as well as other conditions.

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

**a) Approved.**

**b) Authorized.**

**The motion carried unanimously.**

A-23) PLANNING AND DEVELOPMENT[File Reference No. 09-00460](#)

Approve and authorize the Chair to execute a letter to Lieutenant Governor John Garamendi, Chair of the California State Lands Commission, recommending termination of the Ellwood Marine Terminal as soon as legally allowable, quickly followed by the decommissioning of the terminal's offshore mooring.

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

A-24) PUBLIC HEALTH[File Reference No. 09-00471](#)

Consider recommendations regarding Agreement Amendments for Animal Control Services in the cities of Goleta, Guadalupe, Solvang, and the Santa Ynez Band of Chumash Indians, and Animal Sheltering Services in the city of Santa Barbara, as follows:

a) Approve and authorize the Chair to execute Amendment One to the Agreement with the City of Santa Barbara to provide animal sheltering services for the period of July 1, 2009 to June 30, 2010, in the amount of \$199,800;

b) Approve and authorize the Chair to execute Amendment Four to the Agreement with the City of Goleta to provide animal control services for the period of July 1, 2009 to June 30, 2010, in the amount of \$185,440 and for the period of July 1, 2010 to June 30, 2011, in the amount of \$191,930 for a total amount of \$377,370;

c) Approve and authorize the Chair to execute Amendment Four to the Agreement with the City of Guadalupe to provide animal control services for the period of July 1, 2009 to June 30, 2010, in the amount of \$39,900;

d) Approve and authorize the Chair to execute Amendment Four to the Agreement with the City of Solvang to provide animal control services for the period of July 1, 2009 to June 30, 2010, in the amount of \$33,886;

e) Approve and authorize the Chair to execute Amendment Two to the Agreement with the Santa Ynez Band of Chumash Indians to provide animal control services for the period of July 1, 2009 to June 30, 2010, in the amount of \$1,507 and for the period of July 1, 2010 to June 30, 2011, in the amount of \$1,575 for a total amount of \$3,082; and

f) Authorize the Public Health Director to execute any amendments to the agreements provided that the amendment does not exceed the original amount by ten percent (10%).

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

**a) through e) Approved; Chair to execute.**

**f) Authorized.**

**The motion carried unanimously.**

A-25) PUBLIC HEALTH[File Reference No. 09-00467](#)

Consider recommendations regarding a Professional Services Agreement for medical provider Contractor on Payroll Nancy Nudell Kupperman, M.D., as follows:

a) Approve and authorize the Chair to execute the First Amendment to the Professional Services Agreement with Nancy Nudell Kupperman, M.D. (a local vendor) in the amount of \$124,000 plus benefits, and to extend the term of the Agreement to provide substitute clinic based physician care in the Public Health Clinics for a total amount of \$234,000, plus benefits for the period of December 17, 2007 to June 12, 2011; and

b) Authorize the Public Health Director to execute any amendments to the agreement with Nancy Nudell Kupperman, M.D. provided that the amendment does not exceed the agreement amount by ten percent (10%) for each fiscal year.

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

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

**b) Authorized.**

**The motion carried unanimously.**

A-26) PUBLIC HEALTH[File Reference No. 09-00466](#)

Approve and authorize the Public Health Department to accept and receive the Grant Award No.1H8BCS12328-01-00 from Department of Health and Human Services Health Resources and Services Administration (HRSA), for the American Recovery and Reinvestment Act of 2009 (ARRA) Increase Services to Health Centers, for the period of March 27, 2009 to March 26, 2011 in the amount of \$209,509.

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

A-27) PUBLIC WORKS[File Reference No. 09-00462](#)

Consider recommendations regarding Road Improvements on Tepusquet Road at Mile Post 5.9, Federal Project No. HRRRL-5951(116), County Project No. 860037, Fifth District, as follows:

a) Approve the Project and Categorical Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the Road Improvements on Tepusquet Road;

b) Authorize the Director of Public Works to proceed with right-of-way negotiations for the Road Improvements on Tepusquet Road; and

c) Authorize the Director of Public Works to advertise for constructions bids for the Road Improvements on Tepusquet Road.

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

- a) **Approved.**
- b) **Authorized.**
- c) **Authorized.**

The motion carried unanimously.

A-28) PUBLIC WORKS [File Reference No. 09-00464](#)

Consider recommendations regarding the establishment of Purchasing Agreements with vendors for the supply of aggregates, hot mix asphalts, and concrete used in the construction and maintenance of County maintained roads, all Districts, as follows:

- a) Approve a waiver of bids that allows the Purchasing Agent to procure aggregate materials, hot mix asphalts (HMA), and concrete used in the repair and construction of County infrastructure on an as-needed basis; and
- b) Make the waiver effective through June 30, 2011.

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

- a) and b) **Approved.**

The motion carried unanimously.

A-29) PUBLIC WORKS and BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 09-00486](#)

Approve and authorize the Public Works Director or his designee to apply for and to execute any and all agreements, subsequent amendments, and documents with State and Federal agencies to receive funding from various programs for watershed protection work in response to the Jesusita Fire, First and Second Districts.

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

A-30) PUBLIC WORKS and BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT [File Reference No. 09-00480](#)

Approve and authorize the Chair to execute a Professional Services Agreement with the Wallace Group (not a local vendor) in the amount of \$170,832 for the performance of construction management services for the Recycled Water Tank and System Improvement project, Fourth District.

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

A-31) SOCIAL SERVICES [File Reference No. 09-00465](#)

Approve and authorize the Chair to execute Amendment No. 2 to extend the contract term with Document Fulfillment Services (DFS) for the period of July 1, 2009 through June 30, 2010, and increase the amount by \$289,000 for a total contract not to exceed \$876,167, for the purpose of printing and mailing client correspondence from the CalWIN System.

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

**Board of Supervisors**

A-32) SUPERVISOR FARR [File Reference No. 09-00459](#)

Approve the appointment of Judith Dale to the Santa Barbara County Parks Commission, term ending January 7, 2013, Third District.

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

A-33) SUPERVISOR GRAY [File Reference No. 09-00487](#)

Approve the appointment of John Stuart Richards to the Advisory Board on Alcohol and Drug Problems, term ending June 1, 2012, Fourth District.

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

**Hearing Requests**

A-34) COUNTY EXECUTIVE OFFICE [File Reference No. 09-00475](#)

Set hearing to consider recommendations regarding the response to the Civil Grand Jury report entitled Detention Facilities Report, as follows:

- a) Adopt the responses as the Board of Supervisors' responses to the 2008-09 Grand Jury Report entitled Detention Facilities Report; and
- b) Approve and authorize the Chair to execute a letter forwarding the responses to the Presiding Judge.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 2, 2009 in Santa Barbara (EST. TIME: 20 MIN.) The motion carried unanimously.**

A-35) COUNTY EXECUTIVE OFFICE [File Reference No. 09-00485](#)

Set hearing to discuss and consider the Board of Supervisors' responses to the 2008-2009 Grand Jury Report entitled Los Prietos Boys Camp and Academy.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 2, 2009 in Santa Barbara (EST. TIME: 10 MIN.) The motion carried unanimously.**

A-36) COUNTY EXECUTIVE OFFICE[File Reference No. 09-00476](#)

Set hearing to consider recommendations regarding the Fiscal Year 2009-10 Proposed Operating Plan and Budget, as follows:

- a) Receive and file the Fiscal Year 2009-10 Proposed Operating Plan and Budget for Santa Barbara County; and
- b) Schedule hearings for the Fiscal Year 2009-10 Proposed Operating Plan and Budget to begin Monday, June 8, 2009 and continue if necessary, through Friday, June 19, 2009, with specific hearings scheduled for Monday, June 8, 2009; Wednesday, June 10, 2009; and Friday, June 12, 2009.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 8, 2009 in Santa Barbara (EST. TIME: 480 MIN.) The motion carried unanimously.**

A-37) COUNTY EXECUTIVE OFFICE[File Reference No. 09-00478](#)

Set hearing to consider recommendations regarding an Aviation Unit Management Structure, as follows:

- a) Receive and file reports from the Fire Department and the Sheriff's Department regarding structural recommendations for operation of the Santa Barbara County Aviation Program; and
- b) Direct the departments and staff to implement one of the three following options for management of the aviation program:
  - i) Return to the combined unit operation;
  - ii) Transfer operations to the Fire Department management; or
  - iii) Transfer operations to the Sheriff's department management.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 16, 2009 in Santa Maria (EST. TIME: 90 MIN.) The motion carried unanimously.**

A-38) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES and  
FIRST 5, CHILDREN AND FAMILIES COMMISSION[File Reference No. 09-00382](#)

Set hearing to receive and file a presentation on the results of the Downtown Santa Barbara Employee Child Care Study.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 2, 2009 in Santa Barbara (EST. TIME: 30 MIN.) The motion carried unanimously.**

A-39) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 09-00481](#)

Set hearing to consider recommendations regarding an ARRA: Substantial Amendment to Consolidated Plan 2008-2009 Annual Action Plan for the Community Development Block Grant for CDBG-R, as follows:

A) Select projects to be included within the Substantial Amendment to the County's Consolidated Plan 2008-2009 Annual Action Plan for the Community Development Block Grant program; and

b) Approve and authorize the County Executive Officer to execute and submit the Substantial Amendment to the County's Program Year 2008-09 Consolidated Plan Annual Action Plan to the Department of Housing and Urban Development in order to receive funding through the American Recovery and Reinvestment Act of 2009.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 2, 2009 in Santa Barbara (EST. TIME: 60 MIN.) The motion carried unanimously.**

A-40) PLANNING AND DEVELOPMENT [File Reference No. 09-00483](#)

Set hearing to consider the Montecito Planning Commission's recommendations regarding the Montecito Environmentally Sensitive Habitat Overlay Ordinance Amendment, as follows:

a) Adopt the findings for approval of the proposed ordinance;

b) Find that the adoption of this ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) of the Guidelines for Implementation of CEQA; and

c) Adopt an Ordinance (Case No. 09ORD-00000-00003) amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: July 7, 2009 in Santa Barbara (EST. TIME: 45 MIN.) The motion carried unanimously.**

A-41) PLANNING AND DEVELOPMENT [File Reference No. 09-00477](#)

Set hearing to consider recommendations regarding the Solar Energy Systems Permit Requirements Ordinance Amendment, as follows:

a) Consider the recommendation of the County Planning Commission regarding Case No. 09ORD-00000-00001, as follows:

i) Adopt the findings for approval of the proposed Ordinance;

ii) Find that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA;

iii) Consider the introduction (first reading) of an Ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code to revise the permitting requirements for solar energy systems; and

iv) Set hearing to consider the adoption (second reading) of an Ordinance amending Section 35-1, the

Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code to revise the permitting requirements for solar energy systems;

b) Consider the recommendation of the Montecito Planning Commission regarding Case No. 09ORD-00000-00002, as follows:

i) Adopt findings for approval of the proposed Ordinance;

ii) Find that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA;

iii) Consider the introduction (first reading) of an Ordinance amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code to revise the permitting requirements for solar energy systems; and

iv) Set hearing to consider the adoption (second reading) of an Ordinance amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code to revise the permitting requirements for solar energy systems; and

c) Consider recommendations regarding Case No. 90ORD-00000-00011, as follows:

i) Find that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA;

ii) Consider the introduction (first reading) of an Ordinance amending Section 10-2.6, Permits, inspections and fees, of Chapter 10, Building Regulations, of the County Code to add a new Subsection (g) to add procedures for the processing of a Solar Use Permit; and

iii) Set hearing to consider the adoption (second reading) of an Ordinance amending Section 10-2.6, Permits, inspections and fees, of Chapter 10, Building Regulations, of the County Code to add a new Subsection (g) to add procedures for the processing of a Solar Use Permit.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 23, 2009 in Santa Barbara (EST. TIME: 45 MIN.) The motion carried unanimously.**

A-42) PUBLIC WORKS

[File Reference No. 09-00479](#)

Set hearing to consider recommendations regarding the Bradley Road Utility Undergrounding District from Amethyst Drive to Larch Avenue in Unincorporated Santa Maria, Fourth District, as follows:

a) Receive and file the Road Commissioner's report describing the boundary and scope of the utility undergrounding work;

b) Consider forming the Utility Undergrounding District; and

c) Consider the adoption of a Resolution creating the Utility Undergrounding District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 2, 2009 in Santa Barbara (EST. TIME: 10 MIN.) The motion carried unanimously.**



A-43) PUBLIC WORKS and BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 09-00473](#)

Set hearing to consider recommendations regarding a Flood Control Benefit Assessment Program for Fiscal Year 2009-10, all Districts, as follows:

a) Consider the introduction (first reading) of an Ordinance amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, relating to benefit assessments for Flood Control services and imposing Flood Control Benefit Assessments for Fiscal Year 2009-10;

b) Receive and file a Report regarding Flood Control Benefit Assessment for Fiscal Year 2009-10 and direct recordation; and

c) Set hearing for July 7, 2009 to consider recommendations, as follows:

i) Make a determination upon each assessment described in the report ordered filed by the Board at the June 16, 2009 meeting;

ii) Adopt a Resolution confirming Flood Control Benefit Assessment for Fiscal Year 2009-10 and authorize the Clerk of the Board to record a certified copy;

iii) Consider the adoption (second reading) of an Ordinance amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, relating to benefit assessments for Flood Control services and imposing Flood Control Benefit Assessments for Fiscal Year 2009-10; and

iv) Receive and file a CEQA Notice of Exemption for the Flood Control Benefit Assessment Program for FY 2009-10.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 16, 2009 in Santa Maria (EST. TIME: 15 MIN.) The motion carried unanimously.**

A-44) SOCIAL SERVICES [File Reference No. 09-00472](#)

Set hearing to receive and file a presentation from the Social Services Director on Human Services in a Time of Economic Crisis, regarding the impact of the declining economy on services available to residents of Santa Barbara County.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 2, 2009 in Santa Barbara (EST. TIME: 30 MIN.) The motion carried unanimously.**

A-45) TREASURER-TAX COLLECTOR [File Reference No. 09-00484](#)

Set hearing to consider recommendations regarding a Tax and Revenue Anticipation Note Short Term Financing Program for Fiscal Year 2009/2010, as follows: (4/5 Vote Required)

a) Adopt a Resolution in the Matter of Providing for the Borrowing of Funds for Fiscal Year 2009-2010 and the Issuance and Sale of County of Santa Barbara, California 2009-2010 Tax and Revenue Anticipation Notes Therefore;

b) Adopt a Resolution in the Matter of Affirming that Moneys in Internal Service Funds are Available Only for Designated Purposes and are Reasonably Required;

c) Approve and authorize the Treasurer-Tax-Collector to execute a Contract of Purchase for the issuance of non-taxable Tax and Revenue Anticipation Notes in accordance with State and Federal law, in an amount not to exceed \$105,000,000, with Series A not to exceed \$70,000,000 and at a yield not to exceed 1.0 percent, and with a Series B in an amount not to exceed \$35,000,000 and at a yield not to exceed 2.0%, to meet General Fund cash flow requirements during the 2009-2010 fiscal year;

d) Approve and authorize an agreement with Orrick, Herrington, and Sutcliffe, LLP to perform legal services as bond counsel incident to the execution and delivery of 2009-2010 Tax and Revenue Anticipation Notes in an amount not to exceed \$15,000 and with De La Rosa & Company to perform underwriting services in an amount not to exceed \$80,000; and

e) Authorize the Treasurer-Tax-Collector, with consultation of the Debt Advisory Committee, to abandon this issuance if market conditions are deemed financially unfavorable.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 2, 2009 in Santa Barbara (EST. TIME: 15 MIN.) The motion carried unanimously.**

A-46) PLANNING AND DEVELOPMENT

[File Reference No. 09-00495](#)

Set hearing to consider a request from the Trust for Public Lands regarding the acquisition of Gaviota Village Property, as follows:

a) Increase the amount of the County Coastal Resource Enhancement Fund (CREF) grant by \$500,000; and

b) Consider assuming interim or permanent ownership of the property in lieu of the California Department of Parks and Recreation.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 2, 2009 in Santa Barbara (EST. TIME: 20 MIN.) The motion carried unanimously.**

A-47) SUPERVISOR FARR

[File Reference No. 09-00497](#)

Approve the reappointment of Dr. Chris Pankau to the Mosquito and Vector Management District of Santa Barbara County, term ending December 31, 2010, Third District.

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

### Approval of Administrative Agenda

*HEARING TIME: 9:06 A.M. - 11:07 A.M. (61 MIN.)*

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

**Public Comment Period**

*HEARING TIME 11:19 A.M. - 11:42 A.M. (23 MIN.)*

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

**RE: Application/Process of Appointing Members to the Santa Barbara County Retirement Board - First District Supervisor Salud Carbajal, Second District Supervisor Janet Wolf, Fourth District Supervisor Joni Gray and Fifth District Supervisor Joe Centeno Addressed the Board.**

**RE: Traffic flow/Road congestion Issues/Support for Veterans - Scott Wenz Addressed the Board.**

**RE: Invocation - Sister Janet Corcoran Addressed the Board.**

**RE: Fire Supression/Education - Helen Lawson Addressed the Board.**

**RE: Election Day/Schools to Prison Pipeline - Kate Smith Addressed the Board.**

**RE: Development in City of Guadalupe - George Alvarez Addressed the Board.**

**RE: Employment Issues - Dr. Robert L. Johns Addressed the Board.**

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

- 1) TREASURER-TAX COLLECTOR File Reference No. 09-00409

HEARING - Consider the adoption (second reading) of an Ordinance amending Section 2-10.8 of the Santa Barbara County Code to establish revised fees for the Treasurer-Tax Collector's Office. (EST. TIME: 5 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 11:43 AM - 11:44 AM (1 MIN.)*

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

**ORDINANCE NO. 4710**

**The motion carried unanimously.**

- 2) SUPERVISOR GRAY and COUNTY COUNSEL File Reference No. 09-00451

HEARING - Consider recommendations regarding the implementation of Jessica's Law, as follows:  
(EST. TIME: 45 MIN.)

- a) Receive and file a report on Jessica's Law; and
- b) Provide direction to staff regarding drafting an ordinance implementing Jessica's Law residency restrictions.

*HEARING TIME: 11:44 AM - 12:27 PM (43 MIN.)*

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

- a) **Received and filed report and conducted public hearing.**
- b) **Directed staff to prepare a draft ordinance or ordinances that offer the broadest protections within the limits of the law including but not limited to the Jessica's Law residency requirement, with distance component and including specific locations, and to develop a loitering, or "being" ordinance separate from Jessica's Law and to return to the Board as appropriate.**

**The motion carried unanimously.**

3) PUBLIC HEALTH and PUBLIC WORKS[File Reference No. 09-00374](#)

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) Approve the Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines;
- b) Receive and file the report entitled Mission Canyon Sewer District Septic Management Fixed Charges Fee Report for Fiscal Year 2009-10, which proposes the septic system management charges, with no change proposed this year, for County Service Area 12; and
- c) 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 2009-10.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 12:28 PM - 12:29 PM (1 MIN.)*

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

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

**RESOLUTION NO. 09-167**

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

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

4) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES[File Reference No. 09-00410](#)

HEARING - Consider recommendations regarding Mental Health Services Published Charges, as follows: (EST. TIME: 15 MIN.)

- 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 effective 30 days after adoption by the Board of Supervisors; and
- b) Set hearing for June 2, 2009 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.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 12:30 PM - 12:35 PM (5 MIN.)*

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

a) Read title, waived reading of ordinance in its entirety. Introduction approved; adoption (second reading), set for June 2, 2009 in Santa Barbara.

b) Set for June 2, 2009 in Santa Barbara.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Wolf

5)

FIRE

[File Reference No. 09-00395](#)

HEARING - Consider recommendations regarding a Hazardous Materials Program Fee Ordinance, as follows: (EST. TIME: 20 MIN.)

a) Consider the introduction (first reading) of a Hazardous Materials Program Fee Ordinance that amends Chapter 15 of the Santa Barbara County Code to:

i) Adopt an updated fee schedule for the Fire Department's administration and enforcement of the California Health and Safety Code, Chapters 6.5 Hazardous Waste Control, 6.7 Underground Storage of Hazardous Substances and 6.95 Hazardous Materials Release Response Plans and Inventory; and

ii) Approve the CEQA Notice of Exemption; and

b) Set hearing for June 16, 2009 to consider the adoption (second reading) of a Hazardous Materials Program Fee Ordinance amending Chapter 15 of the Santa Barbara County Code as set forth above.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 12:35 PM - 12:59 PM (24 MIN.)*

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

Directed staff to explore alternatives related to the Business Plan component of the fee schedule and to return on June 2, 2009 in Santa Barbara.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Wolf

6)

COUNTY EXECUTIVE OFFICE

[File Reference No. 09-00313](#)

HEARING - Receive a presentation on the updated status of the implementation of the American Recovery and Reinvestment Act and its potential impacts on Santa Barbara County. (EST. TIME: 1 HR.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 1:30 PM - 2:07 PM (37 MIN.)*

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Received and filed. The motion carried by the following vote:

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

Absent: 1 - Supervisor Wolf

7) PLANNING AND DEVELOPMENT[File Reference No. 09-00404](#)

HEARING - Consider recommendations regarding the Klink appeal of the Montecito Planning Commission's December 17, 2008 approval of the Grassini SFD Additions, Case No. 07CDH-00000-00015, located at 1775 Fernald Point Lane (APN 007-380-007) in the Montecito Area, First District, as follows: (EST. TIME: 30 MIN.)

- a) Deny the appeal, Case No. 09APL-00000-00002, thereby upholding the Montecito Planning Commission's approval, as shown in the December 19, 2008 Action Letter;
- b) Adopt the findings for approval of Case No. 07CDH-00000-00015, as shown in Attachment A of the Montecito Planning Commission Action Letter dated December 19, 2008;
- c) Accept the Notice of Exemption, pursuant to CEQA Guidelines Section 15301(e), as shown in Attachment B of the Montecito Planning Commission Staff Report dated May 30, 2008; and
- d) Grant de novo approval of Case No. 07CDH-00000-00015, subject to the conditions of approval, as shown in Attachment C of the Montecito Planning Commission Action Letter dated December 19, 2008.

**COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY**

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

**June 23, 2009 in Santa Barbara.**

**The motion carried unanimously.**

8) PLANNING AND DEVELOPMENT[File Reference No. 09-00381](#)

HEARING - Consider the request for a General Plan Amendment, Development Plan, Government Code Consistency and Road Naming to allow a 39 unit apartment project located in Los Alamos, Third District, as follows: (EST. TIME: 1 HR.)

- a) Adopt the required findings for the project specified, including CEQA findings;
- b) Approve the Mitigated Negative Declaration No. 08NGD-00000-00030 and adopt the mitigation monitoring program contained in the conditions of approval;
- c) Adopt by Resolution a General Plan Amendment to revise Development Standard FLD-LA-1.1.5 of the Los Alamos Community Plan as follows:
  - i) Development Standard FLD-LA-1.2.2 : Residential units that are proposed in areas prone to flooding shall comply with the requirements of the County Flood Control District;
  - d) Determine that the vacation of an excess 10 foot strip of County right-of-way along St. Joseph Street and an excess 15 foot strip of County right-of-way along Kahn Way by the County, and the County's acquisition of approximately 63 square feet of right of way from the applicant, are consistent with the County's General Plan in accordance with Government Code Section 65402(a);
  - e) Approve the project subject to the conditions; and
  - f) Refer back to staff for appropriate findings and conditions if the Board of Supervisors takes other than the recommended actions.

## COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

*HEARING TIME: 2:10 PM - 2::43 PM (33 MIN.)*

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

- a) **Adopted.**
- b) **Approved.**
- c) **i) Adopted.**

**RESOLUTION NO. 09-168**

- d) **and e) Approved.**
- f) **No further action taken.**

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

Ayes: 3 - Supervisor Carbajal, Supervisor Farr and Supervisor Gray  
Abstentions: 1 - Supervisor Centeno  
Absent: 1 - Supervisor Wolf



**Adjourn to June 2, 2009**

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

**Announcements**

The Board of Supervisors will not meet on Tuesday, May 26, 2009. The next regular meeting of the Board of Supervisors will be on Tuesday, June 2, 2009 in Santa Barbara.

The meeting of Tuesday, May 19, 2009 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, May 21, 2009 at 5:00 PM and on Saturday, May 23, 2009 at 10:00 AM on CSBTV Channel 20.

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