

County of Santa Barbara
BOARD OF SUPERVISORS
ACTION SUMMARY

May 05, 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

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

9:00 A.M. Reconvened to Regular Session

CONVENED AT 9:08 A.M.

Roll Call

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

Pledge of Allegiance

Report from Closed Session

County Counsel announced the following:

a) By a vote of 5:0, The Board of Supervisors authorized County Counsel to file a cross complaint in the amount of \$376,980 in the case Casa Pacifica v County of Santa Barbara.

b) By a vote of 5:0, The Board of Supervisors approved a settlement agreement in the amount of \$35,112 in the Workers Compensation Appeals Board case DeVane v County of Santa Barbara.

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

COUNTY COUNSEL

[File Reference No. 09-00427](#)

Closed Session Agenda

Approval of Minutes of the April 21, 2009 Meeting

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

Administrative Agenda

9:00 A.M. Time Certain

A-1) PUBLIC HEALTH

[File Reference No. 09-00418](#)

Receive progress report on the status of the Swine Flu and the planning and response efforts of the County.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Received and filed. The motion carried unanimously.

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

A-2) SUPERVISOR GRAY [File Reference No. 09-00368](#)

Adopt a Resolution proclaiming May 3 - 9, 2009 as Elks National Youth Week in Santa Barbara County.

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

RESOLUTION NO. 09-123

The motion carried unanimously.

A-3) SUPERVISOR CENTENO [File Reference No. 09-00405](#)

Adopt a Resolution of Commendation honoring Dennis Tivey of the Department of Social Services as the May 2009 Santa Barbara County Employee of the Month.

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

RESOLUTION NO. 09-124

The motion carried unanimously.

A-4) SUPERVISOR CENTENO [File Reference No. 09-00394](#)

Adopt a Resolution proclaiming the week of May 3 - 9, 2009 as Public Service Recognition Week and honoring the dedicated Public Servants in the County of Santa Barbara.

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

RESOLUTION NO. 09-125

The motion carried unanimously.

Honorary Resolutions

A-5) SUPERVISOR CARBAJAL [File Reference No. 09-00397](#)

Adopt a Resolution proclaiming May 3 - 9, 2009 as National County Government Week in Santa Barbara County.

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

RESOLUTION NO. 09-126

The motion carried unanimously.

A-6) SUPERVISOR CARBAJAL and SUPERVISOR WOLF [File Reference No. 09-00401](#)

Adopt a Resolution celebrating the 50th Anniversary of the Santa Barbara Rose Society.

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

RESOLUTION NO. 09-127

The motion carried unanimously.

- A-7) SUPERVISOR WOLF [File Reference No. 09-00392](#)
Adopt a Resolution of Commendation honoring Catherine Anne Remak as a Women in Communication Achievement Award recipient.
A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted
RESOLUTION NO. 09-128
The motion carried unanimously.
- A-8) SUPERVISOR WOLF [File Reference No. 09-00391](#)
Adopt a Resolution of Commendation honoring Ann Louise Bardach as a Women in Communication Achievement Award recipient.
A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted
RESOLUTION NO. 09-129
The motion carried unanimously.
- A-9) SUPERVISOR FARR [File Reference No. 09-00388](#)
Adopt a Resolution honoring the 45th anniversary of PathPoint.
**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Continued, as follows:
May 19, 2009 in Santa Barbara. The motion carried unanimously.**
- A-10) SUPERVISOR CENTENO [File Reference No. 09-00367](#)
Adopt a Resolution of Commendation recognizing Senior Deputy Probation Officer Mario Guerrero Evangelista upon his retirement from the Probation Department after over 20 years of distinguished service to the Probation Department and the youth of Santa Barbara County.
A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted
RESOLUTION NO. 09-130
The motion carried unanimously.
- A-11) SUPERVISOR CENTENO [File Reference No. 09-00370](#)
Adopt a Resolution proclaiming April 26 - May 2, 2009 as Crime Victims' Rights Week in Santa Barbara County.
A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted
RESOLUTION NO. 09-131
The motion carried unanimously.

A-12) SUPERVISOR CENTENO [File Reference No. 09-00396](#)

Adopt a Resolution proclaiming May 3 - 9, 2009 as Elks National Youth Week in Santa Barbara County.

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

RESOLUTION NO. 09-132

The motion carried unanimously.

Administrative Items

A-13) AGRICULTURAL COMMISSIONER [File Reference No. 09-00402](#)

Adopt a Memorandum of Understanding to allow the Agricultural Commissioner to participate in, and make a financial contribution toward, the process established pursuant to the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Act (also known as Proposition 84), and further develop a comprehensive County-wide Integrated Regional Water Management Plan (IRWMP).

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted. The motion carried unanimously.

A-14) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 09-00353](#)

Consider recommendations regarding amendments to increase contracts for Alcohol and Drug Program Drug Medi-Cal (DMC) services for FY 2008-09, as follows:

a) Approve and authorize the Chair to execute an Amendment to the contract with Aegis Medical Systems, Inc. (not a local vendor) to increase the contract by \$425,000, for a new contract maximum of \$1,325,000 for the period of July 1, 2008 to June 30, 2009;

b) Approve and authorize the Chair to execute an Amendment to the contract with Good Samaritan Shelter, Inc. (a local vendor) to increase the contract by \$78,000, for a new contract maximum of \$328,000 for the period of July 1, 2008 to June 30, 2009; and

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

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

a) and b) Approved; Chair to execute.

c) Authorized.

The motion carried unanimously.

A-15) COUNTY EXECUTIVE OFFICE [File Reference No. 09-00412](#)

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

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

- A-16) COUNTY EXECUTIVE OFFICE and BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 09-00413](#)

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

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

- A-17) GENERAL SERVICES [File Reference No. 09-00379](#)

Approve and authorize the Chair to execute the Second Amendment to the Lease Agreement between the County of Santa Barbara and Morris and Gloria Sohmani, which will reduce the leased area occupied by Child Support Services at 4 East Carrillo Street, in Santa Barbara, from 15,000 square feet to 11,346 square feet, and will reduce the monthly rent from \$28,457.36 to \$21,457.36, First District.

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

- A-18) GENERAL SERVICES [File Reference No. 09-00411](#)

Consider recommendations regarding Real Property Deeds for the Tepusquet Low Water Crossing, Project No. 862249, Fifth District , as follows:

a) Accept the Permanent Easement Deed and Temporary Construction Easement to the real property conveyed from Riverbench LLC to the County of Santa Barbara for a portion of land located on the property known as Santa Barbara County APN 129-210-031, by authorizing the Clerk of the Board to sign the Certificate of Acceptance;

b) Accept the Permanent Easement Deed and Temporary Construction Easement to the real property conveyed from Union Asphalt, Inc. to the County of Santa Barbara for a portion of land located on the property known as Santa Barbara County APN 129-220-024, by authorizing the Clerk of the Board to sign the Certificate of Acceptance;

c) Approve and authorize the Chair to execute the Quitclaim Deed releasing interest in a portion of land located on the property known as Santa Barbara County APN 129-210-031; and

d) Approve and authorize the Chair to execute the Quitclaim Deed releasing interest in a portion of land located on the property known as Santa Barbara County APN 129-220-024.

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

a) and b) Accepted.

c) and d) Approved; Chair to execute.

The motion carried unanimously.

A-19) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 09-00417](#)

Approve and authorize the County Executive Officer to execute and submit to the United States Department of Housing and Urban Development a Substantial Amendment to Santa Barbara County's Consolidated Plan's 2008-09 Action Plan and associated documentation supporting the submittal and approval of the Substantial Amendment.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Continued, as follows: May 12, 2009 in Santa Maria. The motion carried unanimously.

A-20) PARKS [File Reference No. 09-00369](#)

Quitclaim an easement for a riding and hiking trail to Reginald G. Spear and Robin K. Spear and instruct the Clerk of the Board to endorse thereon the Board's quitclaim, Montecito area, First District.

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

A-21) PLANNING AND DEVELOPMENT [File Reference No. 09-00406](#)

Approve and authorize the Chair to execute an Agreement for Services with Kroll Ontrack, which would convert County Purchase Agreement Contract No. CN08725 to a Board Contract for assembling the administrative record for the Santa Barbara Ranch Project litigation in an amount not to exceed \$133,900 and a term to end June 30, 2009.

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

A-22) PROBATION [File Reference No. 09-00416](#)

Consider recommendations regarding an application for and acceptance of Anticipated American Recovery and Reinvestment Act (ARRA) Byrne Justice Assistance Grant (JAG) Funds, as follows: (4/5 Vote Required)

a) Authorize the County Executive Officer to execute the American Recovery and Reinvestment Act (ARRA) Byrne Justice Assistance Grant (JAG) Inter-local Agreement between the Cities of Santa Barbara, Santa Maria, Lompoc, Goleta, Carpinteria and the County of Santa Barbara; and

b) Authorize the Chief Probation Officer to accept the anticipated ARRA Byrne JAG award in the amount of \$139,783 for Fiscal Year 2009-10.

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

a) and b) Authorized.

The motion carried unanimously.

A-23) PUBLIC HEALTH[File Reference No. 09-00372](#)

Authorize the Purchasing Manager to issue purchase orders, without a competitive bid, for Paragard Direct (not a local vendor) in the amount of \$150,000 per fiscal year, and Thera Com, Inc. (not a local vendor) in the amount of \$150,000 per fiscal year, for pharmaceuticals over the two-year period of Fiscal Years 2008-09 and 2009-10.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Authorized. The motion carried unanimously.

A-24) PUBLIC HEALTH[File Reference No. 09-00373](#)

Consider recommendations regarding a Professional Services Agreement for medical provider Contractor-on-Payroll Carol Schroeer NP, as follows:

a) Approve and authorize the Chair to execute a Professional Services Agreement with Carol Chirman Schroeer, NP (a local vendor) to provide substitute medical services in the Public Health Clinics for the period of March 9, 2009 through June 12, 2011 in an amount not to exceed \$89,000; and

b) Authorize the Public Health Department Director to execute any amendments to the Agreement with Carol Chirman Schroeer NP, provided that the amendment does not exceed the Agreement amount by ten percent (10%).

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

a) Approved; Chair to execute.

b) Authorized.

The motion carried unanimously.

A-25) PUBLIC WORKS[File Reference No. 09-00371](#)

Consider recommendations regarding the adoption of four Resolutions establishing stop controls on various streets; First, Second, and Fourth Districts, as follows:

a) Adopt a Resolution establishing stop controls on Shelby Street at its intersection with Valencia Road in the Summerland area, First District;

b) Adopt a Resolution establishing stop controls on San Marino Drive at its intersection with Del Monaco Drive in the Goleta area, Second District;

c) Adopt a Resolution establishing stop controls on Roxy Avenue at its intersection with Harp Road in the Orcutt area, Fourth District;

d) Adopt a Resolution establishing stop controls on Ken Avenue at its intersection with Harp Road in the Orcutt area, Fourth District; and

e) Approve a Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the establishment of various stop controls, First, Second, and Fourth Districts.

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

a) **Adopted.**

RESOLUTION NO. 09-133

b) **Adopted.**

RESOLUTION NO. 09-134

c) **Adopted.**

RESOLUTION NO. 09-135

d) **Adopted.**

RESOLUTION NO. 09-136

e) **Approved.**

The motion carried unanimously.

A-26)

PUBLIC WORKS

[File Reference No. 09-00377](#)

Approve and authorize the Chair to execute the Statement of Final Quantities for work performed and materials supplied for Jalama Road Storm Damage Repairs 7.7 Miles West of SR 1, County Project No. 95R131, Federal Project No. ER3033 (003) by the Contractor, Papich Construction, Inc. (not a local vendor), Post Office Box 2210, Pismo Beach, California 93448 in the amount of \$886,497.52, Third District.

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

A-27)

PUBLIC WORKS

[File Reference No. 09-00378](#)

Adopt a Resolution in the matter of the rescission of Resolution 07-030 declaring County owned Real Property, a portion of Baron Ranch, as surplus, Third District.

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

RESOLUTION NO. 09-137

The motion carried unanimously.

A-28) PUBLIC WORKS [File Reference No. 09-00383](#)

Consider recommendations regarding the Tajiguas Landfill Phase IIA Groundwater Protection System, County Project No.828348, Third District, as follows:

- a) Approve the Notice of Completion for work performed by the Contractor, Raminha Construction, Inc., (not a local vendor) and authorize Clerk to record; and
- b) Approve and authorize the Chair to execute the Statement of Final Quantities for work performed and materials supplied for this project by the contractor, Raminha Construction, Inc., (not a local vendor) in the amount of \$6,413,617.89.

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

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

The motion carried unanimously.

A-29) PUBLIC WORKS [File Reference No. 09-00403](#)

Adopt a Resolution and approve a Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for expanding the permit parking area in the neighborhood surrounding Righetti High School and establishing a one-hour parking zone on Stratford Street in the Orcutt area, Fourth District.

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

Adopted Resolution and approved Notice of Exemption.

RESOLUTION NO. 09-138

The motion carried unanimously.

A-30) PUBLIC WORKS and BOARD OF DIRECTORS, WATER AGENCY [File Reference No. 09-00380](#)

Approve and authorize the Public Works Director to execute a Memorandum of Understanding (MOU) with various agencies (Cities, Special Districts, Water companies, and Joint Powers Entities) to develop and submit the Regional Acceptance Process (RAP) application as the required initial step in pursuing Proposition 84 funding.

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

Board of Supervisors

A-31) SUPERVISOR CARBAJAL [File Reference No. 09-00408](#)

Approve the reappointment of Carola Nicholson to the Santa Barbara Bowl Board of Directors, term ending May 1, 2012, First District.

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

- A-32) SUPERVISOR WOLF [File Reference No. 09-00366](#)
Approve the appointment of Gail R. Teton-Landis to the Commission for Women, term ending October 10, 2010, Second District.
A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.
- A-33) SUPERVISOR GRAY [File Reference No. 09-00389](#)
Approve the reappointment of Joanne Craig-Bowman to the Developmental Disabilities Board - Area IX, term ending April 1, 2010, Fourth District.
A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.
- A-34) SUPERVISOR GRAY [File Reference No. 09-00390](#)
Approve the reappointment of Stan Whitty to the Developmental Disabilities Board - Area IX, term ending May 1, 2012, Fourth District.
A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.

Hearing Requests

- A-35) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 09-00410](#)
Set hearing to consider recommendations regarding Mental Health Services Published Charges, as follows:

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.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: May 19, 2009 in Santa Barbara (EST. TIME: 15 MIN.) The motion carried unanimously.
- A-36) 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 Wolf, that this matter be Set for a hearing, as follows: May 19, 2009 in Santa Barbara (EST. TIME: 30 MIN.) The motion carried unanimously.

A-37) FIRE [File Reference No. 09-00395](#)

Set hearing to consider recommendations regarding a Hazardous Materials Program Fee Ordinance, as follows:

- 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 May 26, 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.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: May 19, 2009 in Santa Barbara (EST. TIME: 20 MIN.) The motion carried unanimously.

A-38) PLANNING AND DEVELOPMENT [File Reference No. 09-00381](#)

Set hearing to 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:

- 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.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: May 19, 2009 in Santa Barbara (EST. TIME: 60 MIN.) The motion carried unanimously.

A-39) PLANNING AND DEVELOPMENT[File Reference No. 09-00404](#)

Set hearing to 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:

- 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.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: May 19, 2009 in Santa Barbara (EST. TIME: 30 MIN.) The motion carried unanimously.

A-40) PLANNING AND DEVELOPMENT[File Reference No. 09-00415](#)

Set hearing to consider the response to 2008-2009 Grand Jury Report "Got a Planning Problem? Appoint a Committee", as follows:

- a) Adopt the recommended response as the Board's response to the 2008-2009 Grand Jury Report - "Got a Problem? Appoint a Committee"; and
- b) Approve and authorize the Chair to execute the letter to the Presiding Judge.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: May 12, 2009 in Santa Maria (EST. TIME: 30 MIN.) The motion carried unanimously.

A-41) PUBLIC HEALTH and PUBLIC WORKS[File Reference No. 09-00374](#)

Set hearing to 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:

- 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 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.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: May 19, 2009 in Santa Barbara (EST. TIME: 15 MIN.) The motion carried unanimously.

A-42) PUBLIC WORKS[File Reference No. 09-00384](#)

Set hearing to 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:

- a) Approve the Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines;
- b) Receive and file the report entitled Mission Canyon Sewer District Fixed Charges Fee Report for Fiscal Year 2009-10, which proposes a sewer service charge increase of 16% (from \$602 to \$698 per connection per year) for County Service Area 12; and
- c) 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 2009-10.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: June 23, 2009 in Santa Barbara (EST. TIME: 15 MIN.) The motion carried unanimously.

A-43) PUBLIC WORKS[File Reference No. 09-00385](#)

Set hearing to consider recommendations regarding the Laguna County Sanitation District Board Ordinance Adopting Service Charges, Connection Fees, and Trunk Line Fees and a Resolution Relative to Collection of Service Charges on the Tax Roll, Fourth and Fifth Districts, as follows: (4/5 Vote Required)

- a) Consider the introduction (first reading) of an Ordinance Amending Ordinance No. 3130 to revise service charges, connection fees and other related fees for the Laguna County Sanitation District;
- b) Receive and file with the Clerk of the Board a fixed charge report for Fiscal Year 2009-10;
- c) Accept the notice of exemption pursuant to Section 15273 (a) (1) - (4) of the State Guidelines for Implementation of the California Environmental Quality Act; and
- d) Set hearing for June 16, 2009 to consider recommendations as follows:
 - i) Consider the adoption (second reading) of an Ordinance Amending Ordinance No. 3130, which revises service charges, connection fees and other related fees for the Laguna County Sanitation District; and
 - ii) Adopt a Resolution relative to the collection of service charges on the tax rolls.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, 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-44) TREASURER-TAX COLLECTOR[File Reference No. 09-00409](#)

Set hearing to consider the adoption of Treasurer-Tax Collector Proposed Fees, as follows:

- a) Consider the introduction (first reading) of an Ordinance amending Section 2-10.8 of the Santa Barbara County Code revising the fees for the Treasurer-Tax Collector's Office;
- b) Accept a report on costs related to certain fees charged by the Treasurer-Tax Collector (available for public inspection at least ten (10) days prior to the hearing date at the Treasurer-Tax Collector's Office, 105 East Anapamu Street, Room 109, Santa Barbara, CA; week days 8:00 am - 5:00 pm); and
- c) Set hearing for May 19, 2009 to 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.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: May 12, 2009 in Santa Maria (EST. TIME: 15 MIN.) The motion carried unanimously.

X-Agenda RequestX-1 SUPERVISOR CENTENO[File Reference No. 09-00450](#)

Adopt a Resolution of Commendation honoring Bob Hatch as the 2009 Santa Maria Elks Lodge Citizen of the Year.

Acted on as follows:

A motion was made by Supervisor Centeno, seconded by Supervisor Carbajal as follows:

Approve addition of X-agenda item.

The motion carried unanimously.

A motion was made by Supervisor Centeno, seconded by Supervisor Wolf as follows:

Adopted.

RESOLUTION NO. 09-139

The motion carried unanimously.

Approval of Administrative Agenda

HEARING TIME: 9:10 A.M. - 10:15 A.M. (65 MIN.)

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

Public Comment Period

HEARING TIME: 10:16 A.M. - 10:32 A.M. (16 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: Utility Rates/Local Employment Issues/Contempt for Public Officials - Ernest Armenta Addressed the Board.

RE: Invocation/Swine Flu concerns - Sister Janet Corcoran Addressed the Board.

RE: Los Prietos Boy Camp - Dr. Robert L. Johns Addressed the Board.

RE: Commend Sister Janet Corcoran/School District Boundary Issues - Kate Smith Addressed the Board.

RE: Toro Canyon Property Issues - John Thorndike IV Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

- 1) COUNTY EXECUTIVE OFFICE and [File Reference No. 09-00325](#)
AUDITOR-CONTROLLER

HEARING - Receive and file, per the provisions of Government Code Section 29126.2, the Fiscal Year 2008-09 Financial Status Report as of March 31, 2009, showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors. (EST. TIME: 45 MIN)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 5/12/09

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

May 12, 2009 in Santa Maria.

The motion carried unanimously.

- 2) COUNTY COUNSEL and COUNTY EXECUTIVE OFFICE [File Reference No. 09-00308](#)

HEARING - Consider recommendations regarding the allocation of property tax revenues between the City of Goleta and Goleta West Sanitary District resulting from detachment, Third District, as follows: (EST. TIME: 1 HR.)

a) Adopt a Resolution allocating the distribution of property tax revenues between the City of Goleta and Goleta West Sanitary District agreeing to allocate all ad valorem property taxes currently allocated to Goleta West Sanitary District from within the corporate boundaries of the City of Goleta to the City;

b) Approve and authorize the Chair to execute a property tax allocation agreement between the City of Goleta and County Santa Barbara Board of Supervisors; and

c) Recommend to Local Agency Formation Commission allocation of existing Goleta West Sanitary District property tax reserves in the amount of \$20 million for the upgrade of the Goleta Sanitary District treatment plant.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 11:00 AM - 12:37: PM (1 HR. 37 MIN.)

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

a) Adopted.

RESOLUTION NO. 09-140

b) Approved amended property tax allocation agreement; Chair to execute. Directed staff to forward the executed agreement to the City of Goleta for consideration.

c) Approved recommendation.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Gray

3) COUNTY CLERK-RECORDER-ASSESSOR[File Reference No. 09-00343](#)

HEARING - Consider recommendations regarding the establishment of the Recorder's Electronic Recording Delivery System and adoption of an additional \$1.00 fee to finance the system, as follows: (EST. TIME: 10 MIN.)

a) Adopt a Resolution establishing Santa Barbara County Recorder's Electronic Recording Delivery System (ERDS) pursuant to Assembly Bill 578 known as the Electronic Recording Delivery Act of 2004 (AB578) and an additional \$1.00 for each real property document recording pursuant to Government Code Section 27397 (c) (1), effective May 11, 2009; and

b) Pursuant to California Environmental Quality Act (CEQA) guidelines, adopt the Notices of Exemption from the California Environmental Quality Act of 1970 (CEQA) for the fee resolution.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 1:04 PM - 1:07 PM (3 MIN.)

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

a) Adopted.

RESOLUTION NO. 09-141

b) Adopted.

The motion carried unanimously.

4) PUBLIC WORKS[File Reference No. 09-00307](#)

HEARING - Consider recommendations regarding the approval of the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project, Third District, as follows: (EST. TIME: 30 MIN)

a) Certify that the Final Subsequent Environmental Impact Report (SEIR), 08EIR-00000-00007 (Attachment 1), for the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project has been completed in compliance with the California Environmental Quality Act (CEQA);

b) Certify that the Board has reviewed and considered the information contained in the Final SEIR, 08EIR-00000-00007, as well as information presented during the public hearing prior to approval of the project, and adopt the CEQA Findings and Statement of Overriding Considerations included as Attachment 2;

c) Approve the Proposed Project;

d) Adopt the mitigation measures, with their corresponding monitoring requirements, as the Mitigation Monitoring Program for this project (Attachment 3);

e) Direct the Public Works Department to obtain local, State and Federal permits to the extent required by law for implementation of the project;

f) Authorize the Director of Public Works to prepare a "Letter of Commitment" to the Army Corps of Engineers for implementation of the Baron Ranch Restoration Plan;

g) Approve and execute a professional services contract (Attachment 4) in the amount of \$121,650 with the consulting firm of P&D Consultants, a District of AECOM USA, Inc for implementation of biological mitigation measures (California Red-legged Frog Management Plan and other pre-construction and construction measures) included the Final SEIR, 08EIR-00000-00007 contingent on the receipt of required local, State and Federal permits;

h) Authorize a 25% contingency in the amount of \$30,415 with AECOM, Inc. for additional work that may be needed to complete work for the project based on regulatory permit requirements; and

i) Authorize Resource Recovery and Waste Management Division (RRWMD) to advertise/solicit for bids/proposals for construction of project elements and for compliance with other mitigation measures included in 08EIR-0000-00007 required to implement the project.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 4:59 PM - 5:26 PM (27 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a), b) and c) Approved.

d) Adopted.

e) Directed.

f) Authorized.

g) Approved; Chair to execute.

h) and i) Authorized.

The motion carried unanimously.

1:00 P.M. Time Certain

- 5) SUPERVISOR CARBAJAL and SUPERVISOR GRAY [File Reference No. 08-00299](#)

HEARING - Consider recommendations regarding the addition of 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 hearing for May 12, 2009 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.

HEARING TIME: 1:09 PM - 3:40 PM (2 HRS. 31 MIN.)

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

Received and filed staff presentation and conducted public hearing.

Directed the County Executive Office, County Counsel and appropriate staff to review and address concerns/issues raised by the Board at the hearing including but not limited to:

The potential for excluding Isla Vista from the Social Host Ordinance; issues related to language/definitions contained in the ordinance; administrative procedures, counseling services, appointment of hearing officers and a review of similar ordinances from other jurisdictions.

Further directed staff to work to mitigate those concerns expressed at the hearing and to return to the Board if appropriate.

The motion carried unanimously.

- 6) SHERIFF, FIRE, PUBLIC HEALTH and PARKS [File Reference No. 09-00393](#)

HEARING - Consider recommendations regarding an Urgency Ordinance prohibiting use of alcohol on parks, beaches and recreational areas and beach access ways for public safety purposes in the community of Isla Vista, Third District, as follows: (4/5 Vote Required) (EST. TIME: 1 HR.)

- a) Adopt an Urgency Ordinance restricting use of alcohol in certain parks, beaches, access ways and recreation areas located in the community of Isla Vista; and
- b) Conduct a review of the Urgency Ordinance in six months to ascertain impacts, outcomes and ongoing need for the Ordinance.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 3:50 PM - 4:57 PM (1 HR. 7 MIN.)

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

Received and filed staff presentation and conducted public hearing.

Adopted.

ORDINANCE NO. 4709

The motion carried unanimously.

7) PLANNING AND DEVELOPMENT[File Reference No. 09-00358](#)

HEARING - Consider recommendations regarding the Santa Barbara Ranch Development, Third District, as follows: (EST. TIME: 2 HRS.)

a) Receive a report on the status of the Santa Barbara Ranch Project approved by the Board of Supervisors on October 21, 2008 and December 9, 2008 and responses to issues raised in the letters from Stanley Lamport on behalf of Santa Barbara Ranch Interests (SBRI) dated February 5 and 27, 2009 and from the Environmental Defense Center and Law Office of Marc Chytilo dated February 16 and 25, 2009;

b) Direct staff to respond to the Coastal Commission's incomplete letter dated January 6, 2009 related to the Local Coastal Program Amendments for the Santa Barbara Ranch Project and Transfer of Development Rights Ordinance; and

c) Direct staff to respond to the Coastal Commission's deficiency notice dated February 4, 2009 related to the County's Notice of Final Action for the Project by acting as follows:

i) Submit Notices of Final Action for the Vesting Tentative Map and Conditional Certificates of Compliance;

ii) Agree to the dispute resolution process related to the lot mergers as appealable actions; and

iii) File separate Notices of Final Actions for separate components of the Santa Barbara Ranch Project as outlined in this Board Agenda Letter.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

A motion was made by Supervisor Farr, seconded by Supervisor Wolf, that this matter be Continued, as follows: June 23, 2009 in Santa Barbara.

The motion carried unanimously.

Adjourn to**May 12, 2009****Betteravia Government Center****Board Hearing Room****511 East Lakeside Parkway****Santa Maria****Announcements**

The meeting of Tuesday, May 5, 2009 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, May 7, 2009, at 5:00 PM and on Saturday, May 9, 2009, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>