

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

Tuesday, January 19, 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

RECONVENED: 9:10 A.M.

Roll Call

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

Pledge of Allegiance

Report from Closed Session

COUNTY COUNSEL

10-00009

Closed Session Agenda

No reportable action taken.

Approval of Minutes of the January 12, 2010 Meeting

A motion was made by Supervisor Farr, seconded by Supervisor Gray, to Approve the minutes, as amended:

Amended Administrative Item A-9) as follows:

A-9) Directed staff to provide information at the hearing on January 19, 2009 including but not limited to the following: If the member agencies are aware of this request, if they're supportive of such and have the various member agencies conducted public hearings on the matter; Has the Cachuma Operations and Maintenance Board been advised and have they taken a position on request; information related to the drought buffer including cost and how the water would be allocated proportionally and also info on the drought buffers held by CCWA and the Goleta Water District; Information on the proposed sale of State Water entitlements between the City of Santa Maria and Nipomo and information on the responsibility of the Board of Supervisors/Board of Directors of the Water Agency regarding the transfer of state water entitlements to or between member agencies or other entities within or outside the County and information on the Comprehensive Annual Financial Report prepared for the Central Coast Water Authority.

Amended Departmental Item No. 5 as follows:

5) Directed staff to provide to the Board, on a monthly basis, "for a period of three months" a status memorandum on the progress of complete compliance by the Chisan Nursery.

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 CARBAJAL [10-00059](#)

Adopt a Resolution of Commendation honoring Connie Lewis upon her retirement from the General Services Department after 19 years of faithful, loyal, and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 10-012

The motion carried by the following vote:

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

A-2) SUPERVISOR CARBAJAL [10-00062](#)

Adopt a Resolution of Commendation honoring John McMillin upon his retirement from the General Services Department after 24 years of faithful, exceptional and continuous contributions to the County of Santa Barbara.

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

RESOLUTION NO. 10-013

The motion carried by the following vote:

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

A-3) SUPERVISOR CARBAJAL [10-00063](#)

Adopt a Resolution of Commendation honoring Connie Smith upon her retirement from the General Services Department after nearly 30 years of loyal and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 10-014

The motion carried by the following vote:

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

A-4) SUPERVISOR CARBAJAL [10-00069](#)

Adopt a Resolution of Commendation honoring Juan Ruben Vazquez upon his retirement from the General Services Department's Reprographics Division after 18 years of exceptional and continuous contributions to the County of Santa Barbara.

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

RESOLUTION NO. 10-015

The motion carried by the following vote:

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

A-5) SUPERVISOR GRAY [10-00075](#)

Adopt a Resolution of Commendation honoring Annette Paladino upon her retirement from the Santa Barbara County Employees' Retirement System after 20 years of exemplary public service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 10-016

The motion carried by the following vote:

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

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

A-6) SUPERVISOR CARBAJAL

[10-00073](#)

Adopt a Resolution of Commendation honoring Mary Ellen Wylie upon her retirement from the Offices of the Board of Supervisors after 27 years of distinguished service to Santa Barbara County.

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

RESOLUTION NO. 10-017

The motion carried by the following vote:

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

Honorary Resolutions

A-7) SUPERVISOR WOLF

[10-00066](#)

Adopt a Resolution of Commendation honoring Sheriff's Deputy Mark L. Mooney upon his retirement from the Sheriff's Department after over 24 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 10-018

The motion carried by the following vote:

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

A-8) SUPERVISOR WOLF [10-00067](#)

Adopt a Resolution of Commendation honoring Laverne F. Slonaker upon her retirement from the Sheriff's Department after 25 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 10-019

The motion carried by the following vote:

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

A-9) SUPERVISOR WOLF [10-00068](#)

Adopt a Resolution of Commendation honoring Cuppy Wallace upon his retirement from the Sheriff's Department after over 23 years of faithful and distinguished service to the County of Santa Barbara.

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

RESOLUTION NO. 10-020

The motion carried by the following vote:

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

A-10) SUPERVISOR WOLF [10-00065](#)

Adopt a Resolution of Commendation honoring Mary Lou Markley upon her retirement from the Sheriff's Department after over 20 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 10-021

The motion carried by the following vote:

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

A-11) SUPERVISOR WOLF [10-00078](#)

Adopt a Resolution of Commendation honoring Rory O. Moore, Deputy Public Defender, upon his retirement from the Office of the Public Defender after 25 years of committed public service to the County of Santa Barbara.

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

RESOLUTION NO. 10-022

The motion carried by the following vote:

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

A-12) SUPERVISOR WOLF [10-00086](#)

Adopt a Resolution of Commendation honoring Kevin Edward Carey, Senior Deputy Public Defender, upon his retirement from the Office of the Public Defender after 18 years of dedicated public service to the County of Santa Barbara.

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

RESOLUTION NO. 10-023

The motion carried by the following vote:

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

A-13) SUPERVISOR WOLF [10-00087](#)

Adopt a Resolution of Commendation honoring Nancy Ramirez, Executive Secretary to the Public Defender, upon her retirement from the Office of the Public Defender after 28 years of outstanding public service to the County of Santa Barbara.

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

RESOLUTION NO. 10-024

The motion carried by the following vote:

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

A-14) SUPERVISOR WOLF

[10-00088](#)

Adopt a Resolution of Commendation honoring Mary Elizabeth Johnston, Deputy Public Defender, upon her retirement from the Office of the Public Defender after 9 years of committed public service to the County of Santa Barbara.

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

RESOLUTION NO. 10-025

The motion carried by the following vote:

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

A-15) SUPERVISOR WOLF

10-00089

Adopt a Resolution of Commendation honoring Ana D. Guardado, Legal Interpreter, upon her retirement from the Office of the Public Defender after 27 years of committed and dedicated public service to the County of Santa Barbara.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Withdrawn from the agenda. The motion carried by the following vote:

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

A-16) SUPERVISOR WOLF

[10-00090](#)

Adopt a Resolution of Commendation honoring Karen R. Atkins, Deputy Public Defender, upon her retirement from the Office of the Public Defender after 31 years of committed and dedicated public service to the County of Santa Barbara.

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

RESOLUTION NO. 10-026

The motion carried by the following vote:

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

A-17) SUPERVISOR CENTENO**10-00076**

Adopt a Resolution of Commendation honoring Marcia ‘Janice’ Featherston upon her retirement from the Probation Department after 27 years of dedicated service to the citizens of Santa Barbara County and to the Probation Department.

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

RESOLUTION NO. 10-027

The motion carried by the following vote:

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

Administrative Items**A-18) COUNTY EXECUTIVE OFFICE****10-00085**

Approve and authorize 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 Carbajal, 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-19) COUNTY EXECUTIVE OFFICE**10-00096**

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 by the following vote:

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

A-20) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

10-00057

Receive and file the Annual Report of the Civil Service Commission for Fiscal Year 2008/2009.

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

A-21) PUBLIC HEALTH[10-00074](#)

Approve and authorize the Public Health Director to execute an Agreement with the State of California Emergency Medical Services Authority for a grant to support the implementation costs associated with the Santa Barbara County Emergency Medical Services Agency's participation in the State's CEMESIS data program for the period of July 1, 2009 through June 30, 2010 in an amount not to exceed \$25,666.00.

A motion was made by Supervisor Carbajal, 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 WORKS[10-00058](#)

Accept the offer of dedication as shown on Parcel Map No. 14,659 (Mendoza) for Public Bikeway and Trail easement purposes, Fourth District.

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

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

A-23) PUBLIC WORKS

[10-00061](#)

Consider recommendations regarding the vacation of a portion of the Buena Vista Avenue Right-of-Way at APNs 007-060-013, 007-060-016, 007-060-033, 007-060-40, and 007-060-065, First District, as follows:

- a) Approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines regarding vacating a portion of the County’s Buena Vista Avenue right-of-way easement underlying Santa Barbara County APNs 007-060-013, 007-060-016, 007-060-033, 007-060-40, and 007-060-065;
- b) Remove the portion of Buena Vista Avenue being vacated from the County’s maintained road system; and
- c) Adopt a Resolution, entitled Summary Order to Vacate, which if recorded will consummate the vacation of the portion of the Buena Vista Avenue right-of-way underlying Santa Barbara County APNs 007-060-013, 007-060-016, 007-060-033, 007-060-40, and 007-060-065.

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

a) and b) Approved.

c) Adopted.

RESOLUTION NO. 10-028

The motion carried by the following vote:

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

A-24) PUBLIC WORKS

[10-00095](#)

Approve and authorize the Chair to execute Amendment No. 1 to extend the date of completion for the existing Agreement with Bengal Engineering Incorporated (a local vendor) for preliminary design and environmental services for the Floradale Avenue Bridge Replacement, County Project No. 862032, Federal Project No. BRLSZD-5951(060), Third District.

A motion was made by Supervisor Carbajal, 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-25) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY**10-00060**

Approve and authorize the Chair to execute the Joint Funding Agreement with the United States Geological Survey (USGS) to continue the cooperative streamgaging program from November 1, 2009 through October 31, 2010 in the amount of \$446,970.00 of which \$296,030.00 will be funded by the County Water Agency.

A motion was made by Supervisor Carbajal, 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) SHERIFF**10-00064**

Consider recommendations regarding the acceptance of a \$15,000.00 Grant for Project Safe Neighborhoods-Anti Gang Initiative program, as follows: (4/5 Vote Required)

a) Accept a \$15,000.00 grant from the California Emergency Management Agency (Cal EMA) to assist the Sheriff's Project Safe Neighborhood-Anti Gang Initiative program; and

b) Approve Budget Revision Request No. 000767 recognizing the grant revenue and appropriating expenditures within the Santa Barbara Sheriff's Department.

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

a) Accepted.

b) Approved.

The motion carried by the following vote:

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

Board of Supervisors**A-27) SUPERVISOR FARR****10-00079**

Approve the reappointment of Dwayne Cripe to the Los Alamos Cemetery District Board of Directors, term ending December 31, 2012, Third District.

A motion was made by Supervisor Carbajal, 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-28) SUPERVISOR FARR [10-00080](#)

Approve the reappointment of George Shaw to the Los Alamos Cemetery District Board of Directors, term ending December 31, 2014, Third District.

A motion was made by Supervisor Carbajal, 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-29) SUPERVISOR FARR [10-00081](#)

Approve the reappointment of Lee Bettencourt to the Oakhill Cemetery District Board of Trustees, term ending December 31, 2013, Third District.

A motion was made by Supervisor Carbajal, 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-30) SUPERVISOR FARR [10-00082](#)

Approve the reappointment of Art Knight to the Oakhill Cemetery District Board of Trustees, term ending December 31, 2014, Third District.

A motion was made by Supervisor Carbajal, 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-31) SUPERVISOR FARR [10-00083](#)

Approve the reappointment of Clare Macdonald to the Santa Barbara County Assessment Appeals Board No. 1, term ending September 1, 2012, Third District.

A motion was made by Supervisor Carbajal, 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-32) SUPERVISOR FARR [10-00084](#)

Approve the reappointment of Charles Gonzales to the Los Alamos Cemetery District Board of Directors, term ending December 31, 2013, Third District.

A motion was made by Supervisor Carbajal, 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-33) SUPERVISOR GRAY [10-00070](#)

Approve the reappointment of Betty Silva-Smith to the Guadalupe Public Cemetery District Board of Trustees, term ending December 31, 2012, Fourth District.

A motion was made by Supervisor Carbajal, 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-34) SUPERVISOR GRAY [10-00071](#)

Approve the reappointment of Frank Canales to the Guadalupe Public Cemetery District Board of Trustees, term ending December 31, 2012, Fourth District.

A motion was made by Supervisor Carbajal, 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-35) SUPERVISOR GRAY [10-00072](#)

Approve the reappointment of Albert Nunez to the Guadalupe Public Cemetery District Board of Trustees, term ending December 31, 2012, Fourth District.

A motion was made by Supervisor Carbajal, 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

Hearing Requests

A-36) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [10-00077](#)

Set hearing to receive and file an overview of the Alcohol, Drug and Mental Health Services Department. (Set hearing for 1/26/10. Time estimate 1 hour.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: January 26, 2010 in Santa Maria (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-37) COUNTY EXECUTIVE OFFICE[10-00092](#)

Set hearing to consider the Transient Occupancy Tax Rate, as follows:
(Set hearing for 1/26/10. Time estimate 45 minutes.)

- a) Receive and file a report from staff regarding a possible vulnerability related to the Board's 1990 two percent (2%) transient occupancy tax increase;
- b) Adopt a Resolution Proposing to Continue the Transient Occupancy Tax Rate at Its Current Level of Ten Percent (10%), Submitting the Proposed Language for Continuation to the Electorate for Approval, and Requesting and Ordering Consolidation with the June 8, 2010 General Election on Said Tax Rate Continuation;
or
- c) Consider the introduction (first reading) of an Ordinance Amending Section 32-12 of the Santa Barbara County Code to Decrease the Transient Occupancy Tax Rate from Ten Percent (10%) to Eight Percent (8%) of the Rent Charged and Repealing Ordinance No. 3889 (the Decrease and Repeal Ordinance);
- i) Set hearing for February 2, 2010 to consider the adoption (second reading) of the Decrease and Repeal Ordinance; and
- ii) Set hearing for February 2, 2010 to adopt a Resolution Proposing to Increase the Transient Occupancy Tax Rate from Eight Percent (8%) to Ten Percent (10%), Submitting the Proposed Language for Increase to the Electorate for Approval, and Requesting and Ordering Consolidation with the June 8, 2010 General Election.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: January 26, 2010 in Santa Maria (EST. TIME: 45 MIN.). The motion carried by the following vote:

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

A-38) GENERAL SERVICES[10-00091](#)

Set hearing to consider whether or not to proceed to construction with the Public Defender Remodel project and the Betteravia Administration Building Expansion project. Both projects have been completely designed and are ready to advertise for construction bids.
(Set hearing for 2/2/10. Time estimate 45 minutes.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: February 2, 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 Directors, Redevelopment Agency

A-39) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS, 10-00097
REDEVELOPMENT AGENCY
Approve Budget Revision Requests (SEE EXHIBIT B 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 by the following vote:

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

Approval of Administrative Agenda

HEARING TIME: 9:13 A.M. - 9:51 A.M. (38 MIN.)

A motion was made by Supervisor Carbajal, 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

10-00111

Board Member Reports

HEARING TIME: 9:52 A.M. - 9:58 A.M. (6 MIN.)

Re: Santa Barbara County Assistance of Homeless Population during winter rain and storm season, need for review of County protocols in association with Community Outreach and Faith-based communities in their joint roles - Third District Supervisor Doreen Farr Addressed the Board.

Re: Report of power outage in Orcutt/Union Valley Parkway construction begun/Lompoc Vets building grants received - Fourth District Supervisor Joni Gray Addressed the Board.

Re: All citizens of County urged to stay vigilant and informed during the week's winter rain and wind storm. Public Safety officials report significant rain fall is expected, current updated information available on Channel 20 (GATV) and on County website (www.countyofsb.org) - First District Supervisor Salud Carbajal Addressed the Board.

Re: Proposed Cities and County Mutual Association regarding homeless issues particular to winter storm months - Fifth District Supervisor Joe Centeno Addressed the Board.

Re: Report on recent meeting of B.E.A.C.O.N.; Goleta Beach 2.0 Project and community outreach planning - Second District Supervisor Janet Wolf Addressed the Board.

Board of Supervisors directed staff to agendize on the departmental agenda a report on homeless issues, most especially during winter storm months.

10-00001

Public Comment

HEARING TIME: 9:59 A.M. - 10:15 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. 09-368) (10-00001)

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

RE: Nature Conservancy / Channel Islands - David Daniel Diaz Addressed the Board.

RE: Santa Barbara County Pension program - Joe Armendariz, Santa Barbara Taxpayers Association, Addressed the Board.

RE: County homeless population and needs during winter storms - Dr. Lynne Jahnke, Peter Marin and Dr. Robert L. Johns, Ph.D. Addressed the Board.

RE: Report on winter storm watch of this week in Santa Barbara County - Mike Harris, Director - Office of Emergency Services Addressed the Board.

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RE: County homeless population and needs during winter storms - Dr. Lynne Jahnke, Peter Marin and Dr. Robert L. Johns, Ph.D. Addressed the Board.

RE: Report on winter storm watch of this week in Santa Barbara County - Mike Harris, Director - Office of Emergency Services Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) SUPERVISOR CARBAJAL

[10-00037](#)

HEARING - Consider recommendations regarding Sandyland Cove, Proposed Restriction on use of Alcohol, First District, as follows: (EST. TIME: 20 MIN.)

a) Consider the introduction (first reading) of an Ordinance amending Chapter 36 of the County Code to restrict the use of alcohol, other than by permit, in the area commonly known as Sandyland Cove located within the First District; and

b) Set hearing on the Administrative Agenda for January 26, 2010, to consider the adoption (second reading) of an Ordinance amending Chapter 36 of the County Code to restrict the use of alcohol, other than by permit, in the area commonly known as Sandyland Cove.

HEARING TIME: 10:16 A.M. - 10:28 A.M. (12 MIN.)

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Carbajal, 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 on Administrative Agenda for January 26, 2010.

b) Set for January 26, 2010 in Santa Maria.

The motion carried by the following vote:

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

2) AUDITOR-CONTROLLER

10-00052

HEARING - Consider recommendations regarding the Property Tax Administration Fee for 2009-2010, SB2557, as follows: (EST. TIME: 15 MIN.)

- a) Receive and file a report prepared by the Santa Barbara County Auditor-Controller establishing the 2009-2010 Property Tax Administration Fee; and
- b) Adopt a Resolution to impose the fee pursuant to Revenue and Taxation Code Sections 95.3 and 97.75.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:45 A.M. - 10:50 A.M. (5 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. 10-029

The motion carried by the following vote:

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

3) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [10-00053](#)

HEARING - Consider the request of the Central Coast Water Authority (CCWA) regarding the reacquisition of suspended State Water for drought buffer purposes, as follows: (EST. TIME: 1 HR.)

- a) Receive a report from CCWA regarding reacquisition of 12,214 acre-feet of suspended State Water; and
- b) Direct Staff of the CEO's Office and Public Works to work with CCWA on developing an agreement for proceeding with the request and return to the Board for further action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:51 A.M. - 11:51 A.M. (60 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Received.**
- b) Directed.**

The motion carried by the following vote:

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

4) COUNTY EXECUTIVE OFFICE

[10-00038](#)

HEARING - Consider recommendations regarding the 2010 Legislative Platform, as follows: (EST. TIME: 5 MIN.)

- a) Receive and file a report on issues and projects included as part of the County's 2010 Legislative Platform; and
- b) Adopt the County's 2010 Legislative Platform.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 1:05 P.M. - 1:22 P.M. (17 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 County's 2010 Legislative Platform to include staff presentation of "Revisions and Additional Items" report, dated January 19, 2010.**

The motion carried by the following vote:

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

5) PUBLIC WORKS

10-00021

HEARING - Consider recommendations regarding the proposed utility undergrounding district along El Embarcadero between Del Playa Drive and Sabado Tarde Road including a section of Del Playa, in Isla Vista, Third District, as follows: (EST. TIME: 10 MIN.)

- a) Ascertain the need for forming the utility undergrounding district; and
- b) Consider the adoption of a Resolution creating the proposed utility undergrounding district.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 1:23 P.M. - 1:28 P.M. (5 MIN.)

Received and filed staff presentation and conducted public hearing.

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

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

RESOLUTION NO. 10-030

The motion carried by the following vote:

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

6) PLANNING AND DEVELOPMENT

[10-00034](#)

HEARING - Consider recommendations regarding amendments to the Land Development Fee Resolution for Planning and Development, as follows: (EST. TIME: 45 MIN.)

- a) Adopt a Resolution to amend Land Development Fees effective on March 20, 2010; and
- b) Approve a Notice of Exemption for the Planning and Development Land Development Fee Resolution.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 1:29 P.M. - 2:30 P.M. 61 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) Adopted.

Amended Resolution reflecting no increase in Fees for Fea and Jesusita Fire Rebuild Efforts as follows:

Page 3, Exhibit A - Added the following:

TEA AND JESUSITA FIRE REBUILD PERMITS

The hourly rate for planning permits necessary to rebuild following the Tea and Jesusita Fires will be billed at \$152.55.

Page 8, Exhibit A - Added the following:

Exemption from Coastal Development Permit/Land Use Permit Tea and Jesusita Fire Rebuild

Existing Fees: \$299 Proposed Fees: \$299

RESOLUTION NO. 10 - 031

b) Approved.

The motion carried by the following vote:

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

Noes: 2 - Supervisor Gray, and Supervisor Centeno

7) PLANNING AND DEVELOPMENT[09-01020](#)

HEARING - Receive and file a briefing on the Santa Barbara County 2010 Census Integrated Communications Plan. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 2:48 P.M. - 3:15 P.M. (27 MIN.)

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

Received and filed staff presentation and conducted public hearing. Directed staff to continue Census outreach in County.

The motion carried by the following vote:

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

8) PLANNING AND DEVELOPMENT

10-00023

HEARING - Consider recommendations regarding Code Enforcement Program Updates, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file a report on the Planning and Development Department’s Code Enforcement Program;
- b) Direct staff to implement a penalty provision in Chapter 10, Building Regulations, of the Santa Barbara County Code;
- c) Consider the introduction (first reading) of an Ordinance amending Chapter 24A, Administrative Fines, of the Santa Barbara County Code relating to the issuance of notice of violations to clarify the contents of the notices and the method to serve the notices; and
- d) Set hearing for January 26, 2010 to consider the adoption (second reading) of an Ordinance amending Chapter 24A, Administrative Fines, of the Santa Barbara County Code relating to the issuance of notice of violations to clarify the contents of the notices and the method to serve the notices, to be effective 30 days from adoption.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 3:16 P.M. - 3:43 P.M. (27 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) **Received and filed.**
- b) **Approved Option 2a - Penalty Fee Provision Option.**
- c) **Continued the introduction (first reading) to January 26, 2010 in Santa Maria.**
- d) **Set hearing for adoption (second reading) on Administrative Agenda for February 2, 2010 in Santa Barbara.**

The motion carried by the following vote:

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

9) PLANNING AND DEVELOPMENT

10-00024

HEARING - Consider recommendations regarding the Telecommunications Ordinance Amendment Work Plan, as follows: (EST. TIME: 1 HR.)

- a) Approve and authorize an ordinance amendment work program to revise the County's current Telecommunications Ordinance; and
- b) Approve and authorize a funding source to provide for the staff and consultant time necessary to prepare the ordinance amendment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 3:52 P.M. - 4:13 P.M. (21 MIN.)

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

a) and b) Approved.

Directed staff to consider, explore and potentially include the following in the telecommunications ordinance:

- 1. Applications should include information on coverage and alternative siting analysis;**
- 2. Increase public noticing for applications;**
- 3. Require public hearings for Tier 1 applications; and**
- 4. Consult with the CEO regarding potential sources of funding for the ordinance work program.**

The motion carried by the following vote:

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

10) PLANNING AND DEVELOPMENT

09-00977

HEARING - Consider recommendations regarding an Urgency Ordinance for a Moratorium on Approval of Medical Marijuana Dispensaries, as follows: (4/5 Vote Required) (EST. TIME: 1 HR. 30 MIN.)

- a) Receive a report on Medical Marijuana Dispensaries;
- b) Adopt an Urgency Ordinance for a moratorium on approval of Medical Marijuana Dispensaries;
- c) Determine that the Urgency Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15060(c)(2) and 15060(c)(3) and direct staff to file a Notice of Exemption with the County Clerk; and
- d) Direct staff to return to the Board on February 23, 2010 with a written report pursuant to Government Code section 65858 (d) and a possible moratorium ordinance extension.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 4:14 P.M. - 4:44 P.M. (30 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) **Received report.**
- b) **Adopted.**

ORDINANCE NO. 4739

- c) **Approved.**
- d) **Set for hearing on February 23, 2010 in Santa Maria (EST. TIME: 1 HR.)**

The motion carried by the following vote:

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

11) PLANNING AND DEVELOPMENT

[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: 10 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

HEARING TIME: 5:00 P.M. - 5:15 P.M. (15 MIN.)

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

Accept into the record two letters: one from Appellant's counsel dated January 18, 2010 and one from Applicant's counsel dated January 15, 2010. The motion carried by the following vote:

The motion carried by the following vote:

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

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

- a) Denied.
- b) Adopted.
- c) Accepted.
- d) Granted.

The motion carried by the following vote:

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

Adjourned at 5:18 PM

The Board of Supervisors Closed the Meeting of January 19, 2010 in Memory of Norma J. Goodbrod of Santa Maria, Norman Buvick of Santa Maria and Judge William McLafferty of Santa Barbara.

Adjourned to January 26, 2010

Betteravia Government Center
Board Hearing Room
511 East Lakeside Parkway
Santa Maria

Announcements

The meeting of Tuesday, January 19, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, January 21, 2010, at 5:00 PM and on Saturday, January 23, 2010, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>