

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Salud Carbajal

Second District - Janet Wolf

Third District - Doreen Farr, Vice Chair

Fourth District - Joni Gray, Chair

Fifth District - Steve Lavagnino

Chandra L. Wallar, County Executive Officer

Agenda

Tuesday, February 1, 2011

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

Persons may address the Board of Supervisors in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Betteravia Government Center, Board Hearing Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.

Board Meeting Procedures

The Board of Supervisors is the legislative body for the County of Santa Barbara. Persons are encouraged to attend and testify before the Board on any matter appearing on the agenda. Correspondence to the Board regarding items appearing on the agenda should be directed to the Clerk of the Board, 105 East Anapamu Street, Room 407, Santa Barbara CA 93101. For information regarding the meetings of the Board of Supervisors including specific meeting times contact the Clerk of the Board at (805) 568-2240. Procedures for the conduct of the meetings of the Board of Supervisors can be found in Board Resolutions 09-368 (General) and 91-333 (Land Use).

The schedule of the Board of Supervisors, meeting agendas, supplemental hearing materials and minutes of the Board meetings are available on the Internet at: www.countyofsb.org

Board Meetings are televised live on County of Santa Barbara TV channel 20. For information about obtaining a videotape of a public hearing or a schedule of CSBTV broadcasts please call (805) 568-3427.

Late Distribution

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to all or a majority of the members of the Board of Supervisors less than 72 hours prior to that meeting are available for inspection in the Clerk of the Board Office, 105 East Anapamu Street, Room 407, Santa Barbara, CA, at the Office of the Board of Supervisors, Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, CA and on the Internet at: <http://santabarbara.legistar.com/Calendar.aspx#current>.

Disability Access

The Board of Supervisors Hearing Room in Santa Barbara is located on the Fourth Floor of the County Administration Building, 105 East Anapamu Street. The Hearing Room is wheelchair accessible. Accessible public parking is available behind the County Administration Building and in City Parking Lot #6 located at the corner of Anacapa Street and Anapamu Street.

The Board of Supervisors Hearing Room in Santa Maria is located at the Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria. The Hearing Room is wheelchair accessible. Accessible public parking is available at the Betteravia Government Center.

American Sign Language interpreters, Spanish language interpretation and sound enhancement equipment may be arranged by contacting the Clerk of the Board of Supervisors by 4:00 p.m. on Friday before the Board meeting. For information about these services please contact the Clerk of the Board at (805) 568-2240.

Closed Session

The Board of Supervisors conducts a Closed Session every Tuesday between 8:00 A.M. and 9:00 A.M. and between 1:00 P.M. and 2:00 P.M. as necessary. Closed Sessions are not open to the public. Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Actions taken by the Board during Closed Session will be announced during open session (Gov. Code Sections 54957.1(a) & (b), Ralph M. Brown Act). The Closed Session agenda is posted as an addendum to the Board's agenda each Friday in the Office of the Clerk of the Board. For information related to Closed Session announcements please contact County Counsel at (805) 568-2950.

7:50 A.M. Convene and Recess to Closed Session

9:00 A.M. Reconvene to Regular Session

Roll Call

Pledge of Allegiance

Report from Closed Session

COUNTY COUNSEL

[11-00040](#)

Closed Session Agenda

Approval of Minutes of the January 18, 2011 Meeting

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) BOARD OF SUPERVISORS

[11-00108](#)

Adopt a Resolution of Commendation honoring Larissa Burke, Cristy Costa, Ericka Galvan, Arleen Herrera, Yesenia Placencia, Lucia Reyes, Rocio Ramirez and Jennifer Shaw of the Child Support Services Department as the February 2011 Santa Barbara County Employees of the Month.

A-2) SUPERVISOR CARBAJAL

[11-00079](#)

Adopt a Resolution proclaiming February 11, 2011 as National 2-1-1 Awareness Day in Santa Barbara County.

A-3) SUPERVISOR GRAY

[11-00074](#)

Adopt a Resolution of Commendation honoring C. Dennis (Denny) Anderson upon his retirement from the Lompoc Chamber of Commerce and Visitor's Bureau after an illustrious 40 year career in the Chamber of Commerce business.

A-4) SUPERVISOR LAVAGNINO

[11-00070](#)

Adopt a Resolution proclaiming January 12, 2011 as a day of remembrance for the people of Haiti and honoring Direct Relief International in Santa Barbara County.

Resolution to be Presented at 11:45 A.M. - Reception to Follow

- A-5) SUPERVISOR CARBAJAL [11-00078](#)

Adopt a Resolution proclaiming the month of February 2011 as Black History Month in Santa Barbara County.

Honorary Resolutions

- A-6) SUPERVISOR CARBAJAL [11-00080](#)

Adopt a Resolution of Commendation honoring the 2010 Carpinterian of the Year.

- A-7) SUPERVISOR CARBAJAL [11-00081](#)

Adopt a Resolution of Commendation honoring the 2010 Junior Carpinterian of the Year.

- A-8) SUPERVISOR CARBAJAL [11-00106](#)

Adopt a Resolution of Commendation honoring Michael and Anne Towbes for their induction into the Santa Barbara Hillel Hall of Fame.

- A-9) SUPERVISOR WOLF [11-00082](#)

Adopt a Resolution of Commendation honoring Dale and Michael Nissenson for their induction into the Santa Barbara Hillel Hall of Fame.

Administrative Items

- A-10) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [11-00085](#)

Approve and authorize the Chair to execute an Agreement with Charles Golodner Counseling Group (a local vendor) for the provision of Alcohol and Drug Program services, extending the term of the Contract for six months and increasing the Contract by \$65,000.00, for a new contract maximum in the amount of \$130,000.00 through June 30, 2011.

- A-11) AUDITOR-CONTROLLER [11-00101](#)

Receive and file the 2009-2010 Mitigation Fee Act Annual Report for the Countywide, Orcutt, and Goleta development impact fee programs.

- A-12) COUNTY COUNSEL [11-00073](#)

Approve the proposed amendments to the Conflict of Interest Code of the Allan Hancock Joint Community College District.

A-13) COUNTY COUNSEL [11-00088](#)

Approve the proposed amendments to the Conflict of Interest Code of the Santa Barbara Metropolitan Transit District.

A-14) COUNTY COUNSEL [11-00089](#)

Approve the proposed amendments to the Conflict of Interest Code of the Montecito Fire Protection District.

A-15) COUNTY COUNSEL [11-00091](#)

Approve the proposed amendments to the Conflict of Interest Code of the Cold Spring Elementary School District.

A-16) COUNTY COUNSEL [11-00092](#)

Approve the proposed amendments to the Conflict of Interest Code of the Santa Ynez Valley Union School District.

A-17) COUNTY COUNSEL [11-00093](#)

Approve the proposed amendments to the Conflict of Interest Code of the Santa Barbara School District.

A-18) COUNTY COUNSEL [11-00094](#)

Approve the proposed amendments to the Conflict of Interest Code of the Montecito Water District.

A-19) COUNTY COUNSEL [11-00095](#)

Approve the proposed amendments to the Conflict of Interest Code of the Santa Barbara County Air Pollution Control District.

A-20) COUNTY COUNSEL [11-00097](#)

Approve the proposed amendments to the Conflict of Interest Code of the Santa Barbara County Education Office.

A-21) COUNTY COUNSEL [11-00098](#)

Approve the proposed amendments to the Conflict of Interest Code of the Orcutt Union School District.

A-22) COUNTY COUNSEL [11-00100](#)

Approve the proposed amendments to the Conflict of Interest Code of the Los Olivos School District.

A-23) COUNTY COUNSEL**11-00102**

Approve the proposed amendments to the Conflict of Interest Code of the Carpinteria Unified School District.

A-24) COUNTY COUNSEL**11-00072**

Consider recommendations regarding ratification of the Carpinteria-Summerland Fire Protection District's adoption of building standards relating to fire and panic safety which are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Fire Code and California Residential Code, as follows:

a) Adopt a Resolution ratifying Carpinteria-Summerland Fire Protection District's Ordinance 2010-01, which does the following:

i) Adopts by reference and amends the 2010 California Fire Code and Appendix Chapters and Appendix Standards prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion;

ii) Provides for the issuance of permits for hazardous uses or operations;

iii) Establishes a bureau of fire prevention and provides officers therefore and defines their powers and duties within the District;

iv) Amends section R313 of the California Residential Code; and

v) Repeals Carpinteria-Summerland Fire Protection District's Ordinance No. 2008-01; and

b) Upon ratification of the Ordinance, instruct staff to forward a copy of the Board's ratifying Resolution, and the Fire Protection District's Ordinance, including the Fire Protection District's findings, to the California Department of Housing and Community Development, pursuant to Health and Safety Code Section 13869.7.

A-25) GENERAL SERVICES**11-00086**

Consider recommendations regarding the Santa Maria Courthouse Hazard Mitigation Program approval of plans and specifications, and authorization to bid, Project No. 8518, Fifth District, as follows:

a) Approve the plans and specifications for seismic retrofitting existing structures under a Federal Emergency Management Administration (FEMA) Hazardous Mitigation Grant Program at the Cook & Miller Court Complex, located at Cook and Miller Streets in Santa Maria, for an estimated construction cost of \$500,000.00; and

b) Authorize the Director of General Services to advertise for construction bids for the Santa Maria Courthouse Hazard Mitigation Program at the Cook & Miller Court Complex located at Cook and Miller Streets in Santa Maria.

A-26) PARKS[11-00071](#)

Consider recommendations regarding the acceptance of State of California Department of Parks and Recreation Grants - Part 2, as follows:

a) Accept the grant awards from the State of California Department of Parks and Recreation for the following projects:

i) Two additional Cabin Style Trailers at Jalama Beach Park in the amount of \$75,000.00;

ii) One ADA Cabin Style Trailer and Electrical Upgrades at Jalama Beach Park in the amount of \$89,880.00;

iii) Four new Yurts at Cachuma Lake Park in the amount of \$75,000.00; and

iv) Parking Lot Lighting at Arroyo Burro Park in the amount of \$27,500.00; and

b) Authorize the Parks Director to execute the necessary grant agreements with the State of California Department of Parks and Recreation.

A-27) PLANNING AND DEVELOPMENT[11-00076](#)

Adopt a Resolution appointing Elizabeth Keate to the Mission Canyon Planning Advisory Committee (MCPAC) due to the resignation of one member.

A-28) PUBLIC WORKS[11-00104](#)

Consider recommendations regarding the Isla Vista Sidewalk Improvement Project No. 862311, Third District, as follows:

a) Approve and authorize the Chair to execute the Permanent Easement Purchase Contract with Bernie, Ronald and Tonya Mizrahi for the purchase of a right-of-way easement (sidewalk) over a portion of their property at 6570 Cordoba Road in Isla Vista, APN 075-064-004, in the amount of \$19,144.00, in connection with the Isla Vista Sidewalk Improvement Project;

b) Accept an Easement Deed from the Mizrahis for the above referenced easement by authorizing the Clerk of the Board to execute the Certificate of Acceptance;

c) Approve and authorize the Chair to execute the Permanent Easement Purchase Contract with Mr. Casey Crawford for a right-of-way easement (sidewalk) on property he owns at 6521 Sabado Tarde Road in Isla Vista, APN 075-221-028, in the amount of \$500.00, in connection with the Isla Vista Sidewalk Improvement Project; and

d) Accept an Easement Deed from Mr. Crawford for the above referenced easement by authorizing the Clerk of the Board to execute the Certificate of Acceptance.

Department requests withdrawal of Administrative Item A-29) from the Agenda**A-29) PUBLIC WORKS [11-00050](#)**

Consider recommendations regarding the adoption of Engineering Design Standards as the Standards of Engineering Design Review of the County of Santa Barbara, as follows:

- a) Adopt a Resolution for the Engineering Design Standards for use by the County of Santa Barbara in the design and review of road and bridge construction projects; and
- b) Authorize the Chair to appoint the Public Works Director or Designee to act as a representative on the County's behalf for future updates of the Engineering Design Standards.

A-30) PUBLIC WORKS [11-00103](#)

Consider recommendations regarding the seismic retrofit of the Hollister Avenue Underpass (Bridge No. 51C-018) at Union Pacific Railroad, County Project No. 862279, Second District, as follows:

- a) Approve the Project and Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines Section 15301 (c) for the Seismic Retrofit of the Hollister Avenue Underpass;
- b) Authorize the Director of Public Works to proceed with right-of-way negotiations for the Seismic Retrofit of the Hollister Avenue Underpass; and
- c) Authorize the Director of Public Works to advertise for construction bids for the Seismic Retrofit of the Hollister Avenue Underpass.

A-31) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [11-00084](#)

Acting as the Board of Directors, Flood Control and Water Conservation District:

Adopt a Resolution authorizing a Grant Application to the California Department of Water Resources for the Lower Mission Creek Project, First and Second District.

A-32) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT

[11-00105](#)

Acting as the Board of Directors, Laguna County Sanitation District:

Consider recommendations regarding the Laguna County Sanitation District Photovoltaic Solar Energy Project, Fourth District, as follows:

- a) Adopt the findings for the Laguna County Sanitation District Photovoltaic Solar Energy Project;
- b) Approve the Mitigated Negative Declaration (MND No. 10NGD-00000-00025) and adopt the mitigation measures along with their corresponding requirements contained in the MND;
- c) Approve the proposed project and find that it is in the best interest of the Laguna County Sanitation District to enter into an Energy Service Contract for the installation of an energy conservation facility in which the anticipated cost for electrical energy will be less than the anticipated cost for electrical energy without the energy conservation facility; and
- d) Approve and authorize the Chair to execute the Energy Service Contract with Premier Power Renewable Energy, Inc. (not a local vendor) in the amount of \$3,965,564.00 for final design, construction and startup of a 1 MW solar facility at the Laguna County Sanitation District wastewater reclamation plant.

A-33) SHERIFF

[11-00075](#)

Approve and authorize the Chair to execute an Application for the Disposal of Internal Affairs files at least five (5) years old. (4/5 Vote Required)

A-34) SHERIFF

[11-00090](#)

Consider recommendations regarding Reimbursement Agreements with various law enforcement mutual aid responders from the Jesusita Fire event, as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute Reimbursement Agreements with the Counties of Ventura and San Luis Obispo and the Cities of Lompoc and Simi Valley; and
- b) Approve Budget Revision Request No. 0001303 releasing \$618,661.00 in designation from prior receipt of California Emergency Management Agency (Cal-EMA) and Federal Emergency Management Agency (FEMA) funds and appropriating reimbursement amounts to the above-referenced agencies.

Board of Supervisors

- A-35) SUPERVISOR WOLF [11-00083](#)

Approve the appointment of Alex Rodriguez to the Santa Barbara County Finance Corporation, Inc., term ending July 30, 2014, Second District.

- A-36) SUPERVISOR FARR [11-00059](#)

Approve the reappointment of Dr. Chris Pankau to the Mosquito and Vector Management District of Santa Barbara County, term ending December 31, 2012, Third District.

- A-37) SUPERVISOR GRAY [11-00077](#)

Approve the reappointment of Soma F. Baldwin to the Law Library Board of Trustees as the Attorney-At-Large, term ending December 31, 2011, Fourth District.

- A-38) SUPERVISOR LAVAGNINO [11-00061](#)

Approve the reappointment of Victor D. Tognazzini to the Fire Board of Appeals, term ending April 1, 2013, Fifth District.

- A-39) SUPERVISOR LAVAGNINO [11-00062](#)

Approve the reappointment of Daniel D. Blough to the Planning Commission, term ending January 1, 2015, Fifth District.

- A-40) SUPERVISOR LAVAGNINO [11-00064](#)

Approve the reappointment of Yvonne Biely to the Human Services Commission, term ending June 30, 2013, Fifth District.

- A-41) SUPERVISOR LAVAGNINO [11-00065](#)

Approve the reappointment of Marvin Teixeira to the Sedgwick Ranch Agricultural Oversight Committee, term ending October 10, 2012, Fifth District.

- A-42) SUPERVISOR LAVAGNINO [11-00066](#)

Approve the reappointment of David Robert "Bob" Kober, Jr. to the Santa Barbara County Fish and Game Commission, open term, Fifth District.

- A-43) SUPERVISOR LAVAGNINO [11-00067](#)

Approve the reappointment of Edward H. Taylor to the Human Services Commission, term ending June 30, 2012, Fifth District.

- A-44) SUPERVISOR LAVAGNINO [11-00068](#)

Approve the reappointment of Robert A. Nelson to the Santa Maria Cemetery District Board, term ending December 31, 2011, Fifth District.

A-45) SUPERVISOR LAVAGNINO[11-00069](#)

Approve the reappointment of Trent Benedetti to the Santa Barbara County Finance Corporation, Inc., term ending July 30, 2013, Fifth District.

Approval of Administrative Agenda**Board Member Reports****Public Comment Period**

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) (11-00001)

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

Departmental Agenda
Planning Items and Public Hearings

1) **PLANNING AND DEVELOPMENT**

[10-00252](#)

HEARING - Consider recommendations regarding Coastal Commission Action on the County and Montecito Land Use and Development Codes, as follows: (EST. TIME: 45 MIN.)

a) Receive and file a report on the Coastal Commission's action on the County and Montecito Land Use and Development Codes; and

b) Direct the Planning and Development Department to prepare the necessary documents to either:

i) Accept the Coastal Commission's certification of the County and Montecito Land Use and Development Codes with suggested modifications;

ii) Reject the Coastal Commission's certification of the County and Montecito Land Use and Development Codes with suggested modifications; or

iii) Develop alternatives to the suggested modifications to be resubmitted to the Coastal Commission as a new amendment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

2) PLANNING AND DEVELOPMENT[11-00015](#)

HEARING - Consider recommendations regarding an Ordinance amending Chapter 25, Petroleum Code, of the Santa Barbara County Code to address regulation of "High Risk" Petroleum Operations and Operators, as follows: (EST. TIME: 1 HR.)

a) Consider the introduction (first reading) an Ordinance amending Chapter 25, Petroleum Code, of the Santa Barbara County Code, as it relates to the regulation of "High Risk" Petroleum Operations and Operators; and

b) Set hearing on the Administrative Agenda of February 15, 2011 to consider recommendations, as follows:

i) Find that the Ordinance amending Chapter 25, Petroleum Code, is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15307 and 15308;

ii) Approve the Notice of Exemption;

iii) Find that 5 or more unauthorized releases of oil, produced water, other deleterious substances and/or other hazardous materials of a quantity not less than one barrel (42 gallons) other than within secondary containment for each incident, within a 12-month period, is harmful to the environment, and such frequent unauthorized releases are indicative of an operation that poses a significant risk to the County of Santa Barbara's environment and its resources; and

iv) Consider the adoption (second reading) of an Ordinance amending Chapter 25, Petroleum Code, of Santa Barbara County Code, as it relates to the regulation of "High Risk" Petroleum Operations and Operators, to be effective 30 days from adoption.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

3) PLANNING AND DEVELOPMENT[11-00096](#)

HEARING - Consider recommendations regarding the Santa Barbara Ranch Inland Development Agreement, as follows: (EST. TIME: 1 HR.)

a) Acknowledge that the Developer's performance under the Inland Development Agreement is extended throughout the period of the litigation in Santa Barbara Superior Court Case No. 1304044, Naples Coalition, Environmental Defense Center and Surfrider Foundation v. County of Santa Barbara, et al (Naples Coalition litigation); and

b) Receive and file a report on staff's annual review of the Developer's compliance with the terms of the Inland Development Agreement.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

4) COUNTY EXECUTIVE OFFICE, AUDITOR-CONTROLLER[11-00107](#)

HEARING - Consider recommendations regarding the Fiscal Year 2010/2011 Second Quarter Budget and Financial Update, as follows: (EST. TIME: 45 MIN.)

a) Receive and file, per the provisions of Government Code Section 29126.2, the Fiscal Year 2010/2011 Financial Status Report as of December 31, 2010, showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors; and

b) Receive and file a report on the Governor's Proposed Fiscal Year 2011/2012 Budget with emphasis on possible impacts on County departments.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Adjourn to**February 15, 2011****Betteravia Government Center****Board Hearing Room****511 East Lakeside Parkway****Santa Maria****Challenges**

IF YOU CHALLENGE A DETERMINATION MADE ON A MATTER ON THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE BOARD OF SUPERVISORS AT, OR PRIOR TO, THE PUBLIC HEARING.

Announcements

The meeting of Tuesday, February 1, 2011 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 3, 2011, at 5:00 PM and on Saturday, February 5, 2011, at 10:00 AM on CSBTV Channel 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY FEBRUARY 8, 2011. THE NEXT REGULAR MEETING OF THE BOARD OF SUPERVISORS WILL BE ON TUESDAY, FEBRUARY 15, 2011 IN SANTA MARIA.

<http://www.countyofsb.org>