

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

Agenda

Tuesday, January 26, 2010

9:00 AM

BETTERAVIA GOVERNMENT CENTER
BOARD HEARING ROOM
511 EAST LAKESIDE PARKWAY, SANTA MARIA

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

10-0009

Closed Session Agenda

Approval of Minutes of the January 19, 2010 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) SUPERVISOR WOLF

[10-00101](#)

Adopt a Resolution proclaiming the month of January 2010 as National Eligibility Professionals' Month in Santa Barbara County.

Administrative Items

A-2) COUNTY EXECUTIVE OFFICE

[10-00105](#)

Approve and authorize the Chair to execute a Letter of Support for Congressional funding for the California Space Center.

A-3) COUNTY EXECUTIVE OFFICE[10-00109](#)

Consider the Response to the Grand Jury Report on “Affordable Housing In Santa Barbara County - Myth or Reality?”, as follows:

a) Adopt the response as the Board of Supervisors’ follow up to the 2006-07 Grand Jury Report entitled “Affordable Housing In Santa Barbara County - Myth or Reality?” per the request of a Grand Jury letter dated December 29, 2009; and

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

A-4) GENERAL SERVICES[10-00110](#)

Consider recommendations regarding the Jail All-Purpose (A/P) Room Conversion and Sheriff’s Headquarters Expansion Project No. 8682, Approval of Plans and Specifications, Amendment No. 2, CEQA Exemption, Authorization to Bid, Second District, as follows:

a) Approve the revised plans and specifications for the Jail All-Purpose (A/P) Room Conversion and Sheriff’s Headquarters Expansion Project No. 8682;

b) Approve and authorize the Chair to execute Amendment No. 2 to the Professional Services Agreement with Kruger Bensen Ziemer Architects (a local vendor) for the Sheriff’s Headquarters Expansion Project;

c) Approve the Categorical Exemption pursuant to the County’s California Environmental Quality Act (CEQA) guidelines for the Jail A/P Room Conversion Sheriff’s Headquarters Expansion, Project No. 8682; and

d) Authorize the Director of General Services to advertise for construction bids for the Jail A/P Room Conversion and Sheriff’s Headquarters Expansion, Project No. 8682.

A-5) PROBATION[10-00098](#)

Authorize the Chief Probation Officer to submit an application for the 2011 California Office of Traffic Safety (OTS) Grant in the amount of \$198,950.00 for the period covering October 1, 2010 through September 30, 2012.

A-6) PUBLIC WORKS [10-00103](#)

Consider recommendations regarding the construction of Storm Damage Repairs on San Marcos Road at Mile Post (MP) 1.7, County Project No. 863046, Federal Project No. ER-4200 (004), Second District, as follows:

- a) Approve the plans and specifications for construction of Storm Damage Repairs on San Marcos Road at Mile Post (MP) 1.7, County Project No. 863046, Federal Project No. ER-4200 (004);
- b) Award the construction contract in the amount of \$149,225.00 to the lowest responsible bidder, Tierra Contracting (a local vendor), 5484 Overpass Road, Santa Barbara, California, 93111, subject to the provisions of documents and certification as set forth in the plans and specifications applicable to the project, and as required by law;
- c) Approve and authorize the Chair to execute the Construction Contract upon return of the Contractor's executed contract documents, and the review and approval of County Counsel, Auditor-Controller, Risk Manager or their authorized representatives; and
- d) Approve a contingency fund in the amount of \$14,922.50 for construction of Storm Damage Repairs on San Marcos Road at Mile Post (MP) 1.7, County Project No. 863046, Federal Project No. ER-4200 (004).

A-7) PUBLIC WORKS [10-00100](#)

Authorize the Director of Public Works to advertise for construction bids for the Construction of El Colegio Roadway Improvements (Phase II) Project, Public Works Project No. 864042, Third District.

A-8) SOCIAL SERVICES [10-00106](#)

Adopt a Resolution for the alignment of Local Process to Allow for Comprehensive, Integrated, Collaborative Community-based Responses to Child Abuse and Neglect to designate the Santa Barbara County Child Abuse Prevention Council as the required local voluntary council to carry out the administration of the Children's Trust Fund as set forth in Sections 18965-18971 of the Welfare and Institutions Code.

Board of Supervisors**A-9) SUPERVISOR GRAY [10-00107](#)**

Approve the appointment of Ann Eldridge to the Mental Health Commission as a Regular Member, term ending January 1, 2011, Fourth District.

A-10) SUPERVISOR GRAY [10-00108](#)

Approve the appointment of Lisa Morinini to the Mental Health Commission as an Alternate Member, term ending August 1, 2011, Fourth District.

Hearing Requests**A-11) COUNTY EXECUTIVE OFFICE, AUDITOR-CONTROLLER [10-00099](#)**

Set hearing to consider recommendations regarding the Fiscal Year 2009/2010 Second Quarter Budget and Financial Update, and the Governor's proposed Fiscal Year 2010/2011 State Budget, as follows:

(Set hearing for 2/2/10. Time estimate 30 minutes.)

a) Receive and file, per the provisions of Government Code Section 29126.2, the Fiscal Year 2009/2010 Financial Status Report as of December 31, 2009, showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors, including the amounts, impacts, and services being provided by American Recovery and Reinvestment Act (ARRA) funding; and

b) Set hearing for February 9, 2010 to receive and file a report on the Governor's Proposed Fiscal Year 2010/2011 State Budget.

A-12) PLANNING AND DEVELOPMENT [10-00102](#)

Set hearing to consider recommendations regarding the Process Improvement Update, as follows:

(Set hearing for 2/2/10. Time estimate 45 minutes.)

a) Receive and file a status report on the Planning and Development Department's Process Improvement efforts; and

b) Endorse the recommended work plan and provide direction to staff as appropriate.

Administrative Items**ADDENDUM****Item A-13) is amended and will be considered on the Departmental Agenda as Item No. 6****A-14) SUPERVISOR CARBAJAL [10-00037](#)**

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.

ADDENDUM**Item A-15) is added to the Administrative Agenda, as follows:**A-15) CHILD SUPPORT SERVICES[10-00129](#)

Authorize the Santa Barbara County Child Support Services Director to enter into a Plan of Cooperation (POC) with Ventura County Child Support Services regarding the handling of its non-emergency customer calls received at the statewide toll-free telephone number.

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) (10-00001)

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

Departmental Agenda**Planning Items and Public Hearings**1) LOCAL AGENCY FORMATION COMMISSION [10-00104](#)

HEARING - Appoint one member of the Board of Supervisors as regular member to the Santa Barbara County Local Agency Formation Commission (LAFCO) for a term of office from March 1, 2010 through March 1, 2014. (EST. TIME: 5 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

2) DISTRICT ATTORNEY [10-00040](#)

HEARING - Adopt a Resolution authorizing the Clerk/Recorder to increase the Recording Fee from \$2.00 to \$3.00 as authorized by Government Code section 27388 for the Real Estate Fraud Prosecution Unit in the District Attorney's Office. (EST. TIME: 10 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) COUNTY EXECUTIVE OFFICE [10-00092](#)

HEARING - Consider the Transient Occupancy Tax Rate, as follows: (EST. TIME: 45 MIN.)

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.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

4) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [09-00956](#)

HEARING - Receive and file an update on prior years' potential financial liabilities in the Alcohol, Drug and Mental Health Services Department. (EST. TIME: 1 HR.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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

HEARING - Receive and file an overview of the Alcohol, Drug and Mental Health Services Department. (EST. TIME: 1 HR.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

6) PLANNING AND DEVELOPMENT [10-00023](#)

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

a) 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

b) Set hearing for February 2, 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

Adjourn to**February 2, 2010****County Administration Building****Board Hearing Room****105 East Anapamu Street , Fourth Floor****Santa Barbara****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, January 26, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, January 28, 2010, at 5:00 PM and on Saturday, January 30, 2010, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>