

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, April 13, 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

- 1) COUNTY COUNSEL [10-00009](#)
Closed Session Agenda

Approval of Minutes of the April 6, 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 [10-00321](#)
Adopt a Resolution proclaiming April 2010 as Fair Housing Month in Santa Barbara County.

Honorary Resolutions

- A-2) SUPERVISOR WOLF, SUPERVISOR GRAY [10-00320](#)
Adopt a Resolution honoring Colonel David J. Buck for his service as Commander of Vandenberg Air Force Base.
- A-3) SUPERVISOR GRAY [10-00322](#)
Adopt a Resolution of Commendation honoring Commander Thomas L. Jenkins upon his retirement from the Sheriff's Department after over 32 years of faithful and distinguished service to the citizens of Santa Barbara County.

A-4) SUPERVISOR GRAY[10-00336](#)

Adopt a Resolution of Commendation honoring the winners of the 2010 Lompoc Elks Lodge Public Safety Members Appreciation Awards.

Administrative Items**A-5) COUNTY COUNSEL**[10-00324](#)

Approve the proposed amendments to the Conflict of Interest Code of the Carpinteria-Summerland Fire Protection District (CSFPD), First District.

A-6) GENERAL SERVICES[10-00329](#)

Consider recommendations regarding the Real Property Purchase Contract and Deed for the Harris Grade Road High Risk Rural Road (HR3) Project, Folio No. 003612, Fourth District, as follows:

a) Approve and authorize the Chair to execute the Real Property Purchase Contract And Escrow Instructions (Permanent Easement) with Betteravia Investments LLC, for a permanent roadway and slope easement over a portion of APN 099-010-049 in the amount of \$10,000.00; and

b) Accept the Permanent Easement Deed to the real property conveyed from Betteravia Investments LLC to the County of Santa Barbara for a portion of land located on the property known as Santa Barbara County Assessor Parcel No. 099-010-049, by authorizing the Clerk of the Board to execute the Certificate of Acceptance.

A-7) PUBLIC WORKS[10-00331](#)

Consider recommendations regarding the 2009 ARRA Miscellaneous Concrete Repair in Old Town Orcutt, County Project No. 820620, Fourth District, as follows:

a) Find the bid of California Coastal Development, Inc. for 2009 ARRA Miscellaneous Concrete Repair in Old Town Orcutt, County Project No. 820620 to be nonresponsive;

b) Award the Construction Contract in the amount of \$158,052.75 to the lowest responsive bidder, Elevation General Engineering Contractors, Inc. (a local vendor) located at 2333 A Street, Santa Maria, CA 93455, 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 the County Counsel, Auditor-Controller, and Risk Manager, or their authorized representatives; and

d) Approve a contingency fund in the amount of \$15,805.28 for 2009 ARRA Miscellaneous Concrete Repair in Old Town Orcutt.

A-8) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [10-00327](#)

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

Consider recommendations regarding the acceptance of Santa Maria River Levee parcels from San Luis Obispo County, Fifth District, as follows:

- a) Approve a Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines regarding accepting ownership of vacant parcels of land known as San Luis Obispo County APNs 090-291-037, 090-331-009, 090-331-014, 090-341-022, 090-341-029, 090-341-032, 090-341-043, 090-401-029, 090-401-030, and 092-231-017; and
- b) Accept the Quitclaim Deed from the County of San Luis Obispo regarding the above listed parcels by authorizing the Clerk of the Board to execute the Certificate of Acceptance. The subject parcels comprise portions of the Santa Maria River Levee.

A-9) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY [10-00325](#)

Acting as the Board of Directors, Water Agency:

Consider recommendations regarding the Proposition 84 Project Management and Memorandum of Understanding to update the Integrated Regional Management Plan (IRWMP) and pursue funding opportunities on behalf of regional participants, as follows:

- a) Approve and authorize the Public Works Director or designee to execute a Memorandum of Understanding (MOU) with various agencies (Cities, Special Districts, Water companies, Joint Powers Entities, and Non Governmental Organizations) to pursue Proposition 84 funding for water related projects and update the IRWMP as required by Proposition 84 guidelines;
- b) Approve and authorize the Chair to execute an Agreement with GEI (not a local vender) in the amount of \$127,114.00 for the period of April 13, 2010 through September 30, 2011 to provide Project Management services for the Proposition 84 Grant application and IRWMP update; and
- c) Authorize a contingency in the amount of \$12,000.00 with GEI for additional work that may be needed to complete the project.

A-10) SHERIFF [10-00323](#)

Accept the donation of one (1) Forward Looking Infrared, thermal imaging camera donated by FLIR Systems to the Santa Barbara Sheriff's Department to enhance airborne law enforcement for the benefit and safety of the community. The fair market value of the donated FLIR camera is \$100,000. (4/5 Vote Required)

Hearing Requests**A-11) COUNTY EXECUTIVE OFFICE**[10-00326](#)

Set hearing to receive and file an update regarding the City of Goleta's proposal to detach territories located within the City from the Goleta West Sanitary District and provide direction to staff as needed, Third District.

(Set hearing for 4/20/10. Estimated time 30 minutes.)

A-12) GENERAL SERVICES[10-00333](#)

Set hearing to consider recommendations regarding the selection of California State Association of Counties Excess Insurance Authority (CSAC-EIA) Primary Workers' Compensation Coverage, as follows:

(Set hearing for 4/20/10. Time estimate 30 minutes.)

a) Approve the change for Workers' Compensation to move from the CSAC-EIA Excess Workers' Compensation program to the CSAC-EIA Primary Workers' Compensation (PWC) program, at a savings of \$1,329,000.00 the first year and similar savings expected in the two subsequent years;

b) Adopt a Resolution authorizing the application to the Director of Industrial Relations, State of California, for a Certificate of Consent to self-insure workers' compensation liabilities; and

c) Direct staff to return to the Board of Supervisors annually with an update on the PWC Program; the third annual update of which will include a recommendation as to whether we should continue in the program.

A-13) HOUSING AND COMMUNITY DEVELOPMENT[10-00330](#)

Set hearing to consider recommendations regarding the Evaluation of the Rights and Duties of Landlords and Tenants of Residential Property, as follows:

(Set hearing for 4/20/10. Time estimate 30 minutes.)

a) Receive and file a presentation and Final Report on the Evaluation of the Rights and Duties of Landlords and Tenants of Residential Property in Santa Barbara County; and

b) Direct County staff, as necessary, to further evaluate or return for further Board action concerning specified potential actions.

A-14) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT

[10-00300](#)

Acting as Board of Directors, Laguna County Sanitation District:

Set hearing to consider recommendations regarding an 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:
(Set hearing for 5/11/10. Time estimate 30 minutes.)

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 2010/2011;

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 May 25, 2010 to consider the following:

i) Consider the adoption (second reading) of an Ordinance amending Ordinance No. 3130 to revise service charges, connection fees and other related fees for the Laguna County Sanitation District;

ii) Adopt a Resolution relative to the collection of service charges on the tax rolls; and

iii) Approve the Notice of Exemption pursuant to Section 15273 (a) (1) - (4) of the State Guidelines for Implementation of the California Environmental Quality Act.

Board of Directors, Redevelopment Agency

A-15) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS,
REDEVELOPMENT AGENCY

[10-00328](#)

Acting as the Board of Directors, Redevelopment Agency:

Authorize the Executive Director of the Redevelopment Agency (RDA), or his designee, to explore the purchase of property from willing sellers to fulfill the RDA mandate to provide, or support the development of affordable housing in Isla Vista, Third District.

Administrative Items

A-16) COUNTY EXECUTIVE OFFICE

[10-00338](#)

Consider amending the 2010 meeting schedule of the Board of Supervisors by cancellation of the regularly scheduled meeting of April 27, 2010, in Santa Maria.

ADDENDUM**Item A-17) is added to the Administrative Agenda, as follows:****A-17) SUPERVISOR WOLF****[10-00340](#)**

Adopt a Resolution recognizing the 40th Anniversary of Earth Day and the Community Environmental Council.

Item A-18) is added to the Administrative Agenda, as follows:**A-18) SUPERVISOR CENTENO****[10-00341](#)**

Adopt a Resolution of Commendation honoring Victor Debayona, Senior Deputy Probation Officer, upon his retirement from the Probation Department after over 31 years of dedicated service to the citizens of Santa Barbara County.

Item A-19) is added to the Administrative Agenda, as follows:**A-19) SUPERVISOR GRAY****[10-00362](#)**

Adopt a Resolution of Commendation naming the Cuyama Pool in honor of Fifth District Supervisor Joseph Centeno.

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

ADDENDUM**Departmental Item No. 1) is amended as follows:**1) **HOUSING AND COMMUNITY DEVELOPMENT** **09-00969**

HEARING - Consider recommendations regarding the Municipal Energy Financing Program, emPowerSBC Program Report, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file a report from financial advisor Public Financial Management entitled “Santa Barbara County Municipal Energy Financing Program: Analysis of Financial Implementation Alternatives”;
- b) Adopt a Resolution Confirming the Report Relating to the Financing of the Installation of Distributed Generation Renewable Energy Sources and Energy Efficiency and Water Efficiency Improvements and Approving and Ordering Other Related Matters;
- c) Approve and authorize the Chair to execute Cooperative Agreements to Implement a Contractual Assessment Program in the County of Santa Barbara with each of the eight incorporated cities within the County of Santa Barbara, enabling property owners to participate in emPowerSBC;
- d) Adopt the ~~identity theft emPowerSBC program prevention policy~~ emPowerSBC Identity Theft Protection Program;
- e) Direct staff to develop an emPowerSBC privacy policy; and
- f) Direct staff to include the emPowerSBC program in FY 2010/2011 Recommended Budget.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

Departmental Item No. 2) is amended as follows:

2) HOUSING AND COMMUNITY DEVELOPMENT[10-00334](#)

~~HEARING - Consider recommendations regarding the Municipal Energy Financing Program, emPowerSBC Limited Obligation Bonds, preserving multiple options to provide cost-effective financing for the emPowerSBC program, as follows: (EST. TIME: 15 MIN.)~~

~~a) Approve the issuance of one or more series of County of Santa Barbara (emPowerSBC) Limited Obligation Improvement Bonds; and~~

~~b) Approve the form of a Master Indenture and a form of a Supplemental Indenture, and authorize the County Executive Officer (or his designee) to execute the Master Indenture and the Supplemental Indenture.~~

Consider recommendations regarding emPowerSBC: Limited Obligation Improvement Bonds, as follows: (EST. TIME: 15 MIN.)

a) To preserve one of the available options for cost-effective emPowerSBC financing, it is recommended that the Board of Supervisors adopt the County of Santa Barbara Resolution Authorizing Issuance of Limited Obligation Improvement Bonds, Approving and Directing the Execution of Related Documents and Approving Related Actions. Pursuant to this Resolution, the Board will, among other things, authorize the issuance of Limited Obligation Bonds and approve related documents.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Departmental Item No. 3) is amended as follows:

3) HOUSING AND COMMUNITY DEVELOPMENT[10-00335](#)

~~HEARING - Consider recommendations regarding the Municipal Energy Financing Program, emPowerSBC Certificates of Participation, preserving multiple options one of the available options to provide cost-effective financing for the emPowerSBC program, as follows: (EST. TIME: 15 MIN.)~~

~~a) Approve and authorize the Chair to execute and deliver the Certificates of Participation (emPowerSBC); and~~

~~b) Approve the form of a Lease Agreement, Sublease Agreement, and Trust Agreement.~~

Consider recommendations regarding emPowerSBC: Certificates of Participation, as follows: (EST. TIME: 15 MIN.) (4/5 Vote Required)

a) To preserve one of the available options for cost-effective emPowerSBC financing, it is recommended that the Board of Supervisors adopt the County of Santa Barbara Resolution Authorizing Delivery and Sale of Certificates of Participation to Provide Financing for the County's emPowerSBC Program, and Approving Related Documents and Actions. Pursuant

to this Resolution, the Board will, among other things, authorize execution and delivery of Certificates of Participation and approve related legal documents.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

4) SOCIAL SERVICES [10-00308](#)

HEARING - Receive and file the Santa Barbara County Child Abuse Prevention Council's annual progress report and presentation. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

5) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [10-00332](#)

HEARING - Approve and authorize the Chair to execute an Amendment to the Contract with Aurora Vista del Mar Hospital (not a local vendor) to continue providing acute hospital services to adults with severe mental illness in the amount of \$510,000.00 for a total contract maximum of \$1,500,000.00 for the period of July 1, 2009 through June 30, 2010. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

6) COUNTY EXECUTIVE OFFICE [10-00337](#)

HEARING - Consider recommendations regarding H.R. 3332, the Restore the Partnership Act, as follows: (EST. TIME: 10 MIN.)

a) Determine a position on H.R. 3332, the Restore the Partnership Act; and

b) Communicate the Board of Supervisors' position to the County's legislative delegation and recommend that should this legislation continue, effectiveness measures be included to monitor the intergovernmental outcomes derived from H.R. 3332.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

7) PUBLIC WORKS[10-00278](#)

HEARING - Consider recommendations regarding the Fiscal Year 2010/2011 through Fiscal Year 2015/2016 Measure 'A' Five-Year Local Program of Projects, as follows: (EST. TIME: 30 MIN.)

- a) Adopt a Resolution for the Measure 'A' Five-Year Local Program of Projects for Fiscal Years 2010/11 through 2015/2016, for submittal to the Santa Barbara County Local Transportation Authority for acceptance;
- b) Adopt a Resolution establishing priorities and policies for the use of the local portion of the one-half cent (\$0.005) sales tax for the transportation needs in Santa Barbara County;
- c) Approve the Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines;
- d) Consider recommendations for the distribution of Measure 'A' revenues within Supervisorial Districts; and
- e) Direct staff to prepare the Fiscal Year 2010/11 Road Maintenance Annual Plan (RdMap) based upon approved Measure 'A' distribution formula.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

8) GENERAL SERVICES[10-00204](#)

HEARING - Consider the recommendation regarding the Information Technology Department (ITD) Enhanced Computer Room at the Betteravia Government Center in Santa Maria, Project Nos. 8687 and 8676, Fifth District, as follows: (EST. TIME: 30 MIN.)

- a) Approve staff recommendations to incorporate an Enhanced Computer Room of approximately 800 square feet into the new Betteravia Government Administration and Back-Up Emergency Operations Center, "Building E".

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

9) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[10-00193](#)

HEARING - Determine the process the Board of Supervisors wishes to use to appoint members to the Retirement Program Alternatives Advisory Commission. (EST. TIME: 20 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Adjourn to

April 20, 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, April 13, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, April 15, 2010, at 5:00 PM and on Saturday, April 17, 2010, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>