

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 20, 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

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 13, 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 CARBAJAL [10-00360](#)
Adopt a Resolution proclaiming April 16, 2010 as Health Care Decisions Day in Santa Barbara County.
- A-2) SUPERVISOR WOLF [10-00342](#)
Adopt a Resolution proclaiming the week of April 18, 2010 through April 24, 2010 as National Crime Victims' Rights Week in Santa Barbara County.
- A-3) SUPERVISOR WOLF [10-00354](#)
Adopt a Resolution recognizing the 40th Anniversary of the University of California, Santa Barbara Environmental Studies Program.

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

- A-4) SUPERVISOR WOLF [10-00365](#)
Adopt a Resolution of Commendation honoring Joy Gilles upon her retirement from the Public Defenders Office after 13 years of dedicated service to the citizens of Santa Barbara County.

Honorary Resolutions

- A-5) SUPERVISOR WOLF [10-00357](#)

Adopt a Resolution celebrating the 62nd Anniversary of the founding of the State of Israel.

Administrative Items

- A-6) AGRICULTURAL COMMISSIONER [10-00339](#)

Approve and authorize the Chair to execute an Agreement with the California Department of Pesticide Regulation for the Pesticide Use Reporting Program in the County of Santa Barbara for the period of July 1, 2010 through June 30, 2011 in the amount of \$60,844.00.

- A-7) AGRICULTURAL COMMISSIONER [10-00348](#)

Approve and authorize the Chair to execute an Agreement with the California Department of Food and Agriculture for the County Petroleum Products Compliance and Weighmaster Enforcement Programs of Santa Barbara County, for the period of July 1, 2010 through June 30, 2011, in the amount of \$9,675.00.

- A-8) COUNTY EXECUTIVE OFFICE [10-00364](#)

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

- A-9) GENERAL SERVICES [10-00355](#)

Consider recommendations regarding the Santa Maria Betteravia Government Administration and Back-Up Emergency Operations Center authorization to bid, Project No. 8676, Fifth District, as follows:

a) Approve the plans and specifications for the Betteravia Government Administration and Back-Up Emergency Operations Center, at the Betteravia Government Center in Santa Maria;

b) Find that Trend IQ (successor to Novar IQ with interface capabilities with Novar Logic One) HVAC Direct Digital Controls and software are designated by specific brand name in the bid documents for the purpose of matching other HVAC Controls in use at the Betteravia Government Center;

c) Authorize the Director of General Services to advertise for construction bids for the Betteravia Government Administration and Back-Up Emergency Operations Center at the Betteravia Government Center in Santa Maria; and

d) Approve the Final Mitigated Negative Declaration and adopt the County's mitigation monitoring program pursuant to the California Environmental Quality Act (CEQA) guidelines for the Betteravia Government Administration and Back-Up Emergency Operations Center.

A-10) GENERAL SERVICES[10-00356](#)

Consider recommendations regarding the Santa Barbara Court Complex Seismic Retrofit Project Award of Construction Contract, Project No. 8554, First District, as follows:

a) Approve and authorize the Chair to execute a Fixed Price Construction Contract for the Santa Barbara Court Complex Seismic Retrofit Project in the amount of \$497,000.00 to the lowest responsible bidder, Western Group, Inc. (not a local vendor), subject to the provisions of the documents and certifications as set forth in the plans and specifications applicable to the project and as required by California Law; and

b) Authorize the Director of General Services to approve individual change orders of an amount not to exceed 10% of a base amount of \$250,000.00 plus 5% of the bid in excess of the base amount, or \$37,350.00 for this contract.

A-11) GENERAL SERVICES[10-00366](#)

Approve and authorize the Chair to execute Amendment No. 1 to the Contract with SBS Corporation (not a local vendor) for the Phase II of the Clerk Recorder Assessor Election Division Consolidation Project (Project No. 8685) located at 4440 Calle Real, Santa Barbara, in the amount of \$140,000.00, 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 for a total amended contract amount of \$345,161.00.

A-12) PLANNING AND DEVELOPMENT[10-00262](#)

Consider recommendations regarding the allocation of additional, unanticipated Federal Coastal Impact Assistance Program (CIAP) revenue, as follows:

a) Adopt a Resolution to allocate additional, unanticipated CIAP funds in the amount of \$555,081.80 to the following Tier 1 and 2 projects:

i) \$200,000.00 to fund engineering work for public access to Point Sal;

ii) \$110,000.00 additional CIAP funds to removal of Arundo along the Santa Ynez River;

iii) \$50,000.00 to fund engineering work for pedestrian beach access at Santa Claus Lane, thereby converting it from a Tier 2 to a Tier 1 project;

iv) \$120,082.00 to fund improvements to the Walter Capps Park, thereby converting it from a Tier 2 to a Tier 1 project;

v) \$25,000 to fund restoration work along Carpinteria Creek, thereby converting it from a Tier 1 to a Tier 2 project; and

vi) \$50,000 to fund restoration work along Arroyo Burro Creek, thereby converting it from a Tier 1 to a Tier 2 project; and

b) Adopt a Resolution, approving a minor revision to the Agricultural Commissioner's Santa Ynez River Restoration grant.

A-13) PROBATION**[10-00347](#)**

Consider recommendations regarding authorization for acceptance of the California Emergency Management Agency (Cal EMA) American Recovery and Reinvestment Act of 2009 (ARRA) Evidence-Based Probation Supervision Program Grant funds, as follows: (4/5 Vote Required)

a) Authorize the Chief Probation Officer to accept the ARRA Cal EMA Evidence-Based Probation Supervision Program Grant in the amount of \$532,253.00 for the three-year funding cycle of October 2009 through September 2012; and

b) Adopt a Budget Revision Request recognizing the unanticipated revenue.

A-14) PUBLIC HEALTH**[10-00345](#)**

Receive and file the Summaries of Evaluations for the 2009 Annual Health Inspections of Detention Facilities by the County Health Officer regarding compliance with environmental, nutritional, and medical/mental health standards for detention facilities within Santa Barbara County.

A-15) PUBLIC HEALTH**[10-00358](#)**

Approve and authorize the Chair to execute a plan with the State Department of Health Services for Children's Medical Services for the period of July 1, 2009 through June 30, 2010, in the amount of \$3,409,242.00, which includes the following programs:

a) Child Health and Disability Prevention Program in the amount of \$594,582.00;

b) California Children's Services Administration in the amount of \$2,754,420.00; and

c) Health Care Program for Children in Foster Care in the amount of \$60,240.00.

A-16) PUBLIC WORKS**[10-00359](#)**

Approve and authorize the Chair to execute Addendum No. 1, modifying the existing professional consulting services agreement with KOA Corporation (not a local vendor), dated June 24, 2008, for Traffic and Transportation issues related to the University of California, Santa Barbara (UCSB) proposed Long Range Development Plan, which would provide a one-year contract extension and a \$75,000.00 increase from \$181,500.00 to \$256,500.00, Third District.

A-17) SHERIFF[10-00346](#)

Consider recommendations regarding the State Parolee Day Reporting Center, as follows:

a) Award a Professional Services Contract in the amount of \$1,499,960.00 to the highest rated bidder, Community Solutions Incorporated (CSI) (not a local vendor), to provide services for two parolee Day Reporting Centers, subject to the provisions of the Statement of Work and related documents; and

b) Approve and authorize the Chair to execute a Professional Services Contract with Community Solutions Incorporated (CSI).

A-18) SOCIAL SERVICES[10-00363](#)

Approve and authorize the Chair to execute a contract for the period of May 1, 2010 through April 30, 2011, with Santa Ynez Valley People Helping People (SYVPHP), in the amount of \$163,572.00 to provide year-round gang prevention and intervention services to eligible Workforce Investment Act (WIA) youth participants in the Santa Ynez and Lompoc Valleys, Third and Fourth District.

A-19) SUPERVISOR WOLF, PUBLIC HEALTH, PARKS[10-00274](#)

Consider the adoption (second reading) of Amendments to the County Code Chapter 37 Tobacco Control Ordinance to restrict smoking at specified parks, beaches, and trailheads in Santa Barbara County.

Board of Supervisors**A-20) SUPERVISOR FARR**[10-00361](#)

Approve the appointment of Greg C. Donovan to the County of Santa Barbara Central Board of Architectural Review, term ending December 31, 2012, Third District.

A-21) SUPERVISOR GRAY[10-00344](#)

Approve the reappointment of Ruth E. Jensen to the Santa Barbara County Human Services Commission, term ending June 30, 2013, Fourth District.

Hearing Requests**A-22) COUNTY EXECUTIVE OFFICE, AUDITOR-CONTROLLER**[10-00353](#)

Set hearing to receive and file, per the provisions of Government Code Section 29126.2, the Fiscal Year 2009/2010 Financial Status Report as of March 31, 2010, showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors.

(Set hearing for 5/4/10. Time estimate 30 minutes.)

A-23) PLANNING AND DEVELOPMENT[10-00349](#)

Set hearing to consider recommendations regarding an appeal filed by the Friends of Mission Canyon (09APL-00000-00031) of the Planning Commission's October 26, 2009 approval of the Santa Barbara Botanic Garden's Vital Mission Plan project, located at 1212 Mission Canyon Road in the Mission Canyon area, First District, as follows:

(Set hearing for 5/4/10. Time estimate 2 hours.)

- a) Deny the appeal, Case No. 09APL-00000-00031, thereby upholding the County Planning Commission's approval of 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) as revised herein;
- b) Make the required findings for approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), including California Environmental Quality Act (CEQA) findings;
- c) Certify the Final Environmental Impact Report, 07EIR-00000-00001, including the FEIR Revision Letter (RV1), and adopt the mitigation monitoring program contained in the conditions of approval; and
- d) Grant de novo approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), as revised from the Planning Commission approval, subject to the revised conditions of approval.

A-24) PLANNING AND DEVELOPMENT[10-00351](#)

Set hearing to consider recommendations regarding an appeal filed by the Mission Canyon Association (09APL-00000-00030) of the Planning Commission's October 26, 2009 approval of the Santa Barbara Botanic Garden's Vital Mission Plan project, located at 1212 Mission Canyon Road in the Mission Canyon area, First District, as follows:

(Set hearing for 5/4/10. Time estimate 1 hour.)

- a) Deny the appeal, Case No. 09APL-00000-00030, thereby upholding the County Planning Commission's approval of 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) as revised herein;
- b) Make the required findings for approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), including California Environmental Quality Act (CEQA) findings;
- c) Certify the Final Environmental Impact Report, 07EIR-00000-00001, including the FEIR Revision Letter (RV1), and adopt the mitigation monitoring program contained in the conditions of approval; and
- d) Grant de novo approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), as revised from the Planning Commission approval, subject to the revised conditions of approval.

A-25) PLANNING AND DEVELOPMENT[10-00352](#)

Set hearing to consider recommendations regarding an appeal filed by Frank Arredondo and Friends of Xana'yan (09APL-00000-00029) of the Planning Commission's October 26, 2009 approval of the Santa Barbara Botanic Garden's Vital Mission Plan project, located at 1212 Mission Canyon Road in the Mission Canyon area, First District, as follows:
(Set hearing for 5/4/10. Time estimate 1 hour.)

a) Deny the appeal, Case No. 09APL-00000-00029, thereby upholding the County Planning Commission's approval of 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan) as revised herein;

b) Make the required findings for approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan);

c) Certify the Final Environmental Impact Report, 07EIR-00000-00001, including the FEIR Revision Letter (RV1), and adopt the mitigation monitoring program contained in the conditions of approval; and

d) Grant de novo approval of Case Nos. 72-CP-116 RV01 and 99-DP-043 (the Vital Mission Plan), as revised from the Planning Commission approval, subject to the revised conditions of approval.

A-26) PLANNING AND DEVELOPMENT[10-00350](#)

Set hearing to confirm, modify, or set aside the Historic Landmarks Advisory Commission's actions on November 9, 2009 regarding an appeal filed by the Santa Barbara Botanic Garden (09APL-00000-00041) of the Historic Landmarks Advisory Commission's November 9, 2009 decision regarding the Botanic Garden's Vital Mission Plan project, located at 1212 Mission Canyon Road in the Mission Canyon area, First District.
(Set hearing for 5/4/10. Time estimate 1 hour.)

ADDENDUM**Item A-27) is added to the Administrative Agenda, as follows:****A-27) HOUSING AND COMMUNITY DEVELOPMENT**[10-00368](#)

Set hearing to consider recommendations regarding a Santa Ynez Valley Tourism Business Improvement District, Third District, as follows:
(Set hearing for 5/4/10. Time estimate 30 minutes.)

a) Receive and file a report on the potential formation of the Santa Ynez Tourism Business Improvement District; and

b) Adopt a Resolution of Consent of the County of Santa Barbara to Create Santa Ynez Valley Tourism Business Improvement District to allow the City of Solvang to establish the Santa Ynez Tourism Business Improvement 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) (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) PLANNING AND DEVELOPMENT [10-00250](#)

HEARING - Revise the Coastal Resource Enhancement Fund (CREF) Guidelines, Section 3.6, Fund Deferral Program to exempt the 2010 CREF fees from the Fund Deferral Program. (EST. TIME: 5 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

2) GENERAL SERVICES [10-00333](#)

HEARING - Consider recommendations regarding the selection of California State Association of Counties Excess Insurance Authority (CSAC-EIA) Primary Workers' Compensation Coverage, as follows: (EST. TIME: 30 MIN.)

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.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) COUNTY EXECUTIVE OFFICE [10-00326](#)

HEARING - 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. (EST. TIME: 1 HR.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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

HEARING - Consider recommendations regarding the Evaluation of the Rights and Duties of Landlords and Tenants of Residential Property, as follows: (EST. TIME: 30 MIN.)

- 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.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Adjourn to

May 4, 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 20, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, April 22, 2010, at 5:00 PM and on Saturday, April 24, 2010, at 10:00 AM on CSBTV Channel 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY, APRIL 27, 2010. THE NEXT REGULAR MEETING OF THE BOARD OF SUPERVISORS WILL BE TUESDAY, MAY 4, 2010, IN SANTA BARBARA.

<http://www.countyofsb.org>