

**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, June 15, 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](http://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](http://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

[10-00009](#)

Closed Session Agenda

Legislative History

**Approval of Minutes of the Regular Meeting of June 1, 2010**

**Approval of Minutes of the Special Meeting of June 7, 2010**

**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.*

**Administrative Items**

**A-1) AGRICULTURAL COMMISSIONER**

[10-00466](#)

Consider recommendations regarding an Ordinance relating to the Agricultural Commissioner's Revised Fee Schedule, as follows:

a) Consider the adoption (second reading) of an Ordinance amending the Agricultural Commissioner's Fee Schedule.

Legislative History

5/25/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: June 1, 2010 in Santa Barbara (EST. TIME: 20 MIN.). The motion carried by the following vote:

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

6/1/10

BOARD OF SUPERVISORS

Acted on and set for a hearing, as follows:

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 and set for a hearing, as follows:

a) Read title, waived reading of Ordinance in it's entirety. Introduction approved; adoption (second reading) set for June 15, 2010.

b) Set hearing on the Administrative Agenda for June 15, 2010 in Santa Maria.

The motion carried by the following vote:

*HEARING TIME: 4:08 P.M. - 4:10 P.M. (2 MIN.)*

Ayes: 4 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Centeno

Absent: 1 Supervisor Gray

A-2) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES

[10-00542](#)

Approve and authorize the Chair to execute an Amendment to the Contract with Sierra Vista Rehabilitation Center (not a local vendor), an institute for mental disease, to increase the Contract by \$50,000.00 for a total Contract amount not to exceed \$200,000.00, for the period of July 1, 2009 through June 30, 2010.

A-3) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES

[10-00544](#)

Approve and authorize the Chair to execute an Amendment to the Agreement with PharMerica to increase the Contract by \$70,000.00, for a total Contract amount not to exceed \$420,000.00, for the period of July 1, 2009 through June 30, 2010.

**A-4) COMMUNICATIONS FOR REFERRAL**[10-00547](#)

Lompoc Valley Medical Center - Approve the requests of the Lompoc Valley Medical Center, as follows:

- a) Call and give notice of the holding of a Healthcare District General Election to be held on Tuesday, November 2, 2010; and
- b) Consolidate a Healthcare District General Election to be held on November 2, 2010, with the Statewide General Election to be held on said date pursuant to Section 32100.5 of the Elections Code.

(APPROVE AND REFER TO THE COUNTY CLERK-RECORDER-ASSESSOR)

**A-5) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS, REDEVELOPMENT AGENCY**[10-00539](#)

Acting as the Board of Directors, Redevelopment Agency:

Consider recommendations regarding a public-private partnership for six affordable housing units in downtown Isla Vista, Third District, as follows:

- a) Approve and authorize the Chair to execute the First Amendment to the Owner Participation Agreement with Paradise Ivy, LLC ('Developer'), a limited liability company, that includes a \$717,000.00 loan of Isla Vista Project Area Redevelopment Agency Affordable Housing Funds for the development of six studio housing units affordable to low-income residents, located at 909 Embarcadero del Mar in Isla Vista; and
- b) Authorize the Agency Executive Director to execute a Subordination of Deed of Trust, which will result in the Agency's loan becoming subordinate to the developer's construction loan and subsequent permanent financing, from Wells Fargo Bank, National Association in a form approved by County Counsel.

**A-6) GENERAL SERVICES**[10-00545](#)

Approve and authorize the Chair to execute Amendment No. 2 to the Professional Services Agreement with Ravatt Albrecht and Associates, Inc. (a local vendor) for complete A/E design services associated with the Betteravia Government Center Administration Building, Project No. 8676, increasing the contract amount by \$68,200.00, for a total contract amount of \$518,200.00 including reimbursable expenses.

**A-7) GENERAL SERVICES**[10-00546](#)

Approve and authorize the improvements to the Santa Barbara Courthouse Clock Room by the Santa Barbara Courthouse Legacy Foundation, and accept the gift of improvement in excess of \$10,000.00.

**A-8) PUBLIC HEALTH**[10-00549](#)

Consider recommendations regarding the appointment of a Hearing Officer for solid waste issues, as follows:

- a) Approve a change in the process used to hear appeals for Local Enforcement Agency actions on solid waste issues from a Hearing Panel to a Hearing Officer; and
- b) Direct staff to approve a contract with the California Office of Administrative Hearings, or their respective designee, to act as Hearing Officer to hear all appeals brought before them pursuant to section 44308(d) of the Public Resources Code.

**A-9) PUBLIC WORKS**[10-00527](#)

Approve and authorize the Chair to execute a Second Amendment to an Agreement with the University of California, Santa Barbara (UCSB) for the operation of the Community Household Hazardous Waste Collection Center housed at UCSB, extending the term of the current agreement by two additional years and increasing the contract amount by \$1,107,135.00, for a total term of six years, and a total amount not to exceed \$2,920,673.10, First, Second and Third Districts.

**A-10) PUBLIC WORKS**[10-00528](#)

Approve the amendment of the South Coast Measure A Five-Year Local Program of Projects for Fiscal Years 2010/2011 through 2015/2016, for submittal to the Santa Barbara County Local Transportation Authority for acceptance, First, Second and Third Districts.

**A-11) PUBLIC WORKS**[10-00529](#)

Consider recommendations regarding the proposed vacation and sale of a portion of Orcutt Road right-of-way, located in Santa Barbara, Fourth District, as follows:

- a) Approve the Notice of Exemption pursuant to California Environmental Quality Act (CEQA) guidelines Section 15301(c), pertaining to minor alteration of existing facilities in regards to the vacation and sale of a portion of the Orcutt Road right-of-way, which is located adjacent to APNs 109-200-010, 109-200-037, and 109-200-038 in the unincorporated area of the County of Santa Barbara;
- b) Adopt a Resolution in the matter of the summary vacation of an unused portion of the Orcutt Road right-of-way in the unincorporated area of Santa Barbara;
- c) Approve and authorize the Chair to execute the Grant Deed Agreement with Reservations; and
- d) Approve and direct the removal of the portion of Orcutt Road being vacated from the County of Santa Barbara's maintained road system.

**A-12) PUBLIC WORKS**[10-00531](#)

Consider recommendations regarding the State of California 2009/2010 Exchange and State March Program, Agreement for the Exchange of Federal Highway Dollars, as follows:

- a) Approve and authorize the Chair to execute an Agreement with the State of California, Department of Transportation, for the exchange of Federal Highway dollars for Non-Federal State Highway Account dollars, for Fiscal Year 2009/2010 apportionments in the amount of \$558,115.00; and
- b) Authorize Staff to disperse these Local Surface Transportation Program (LSTP) funds to the City of Buellton, the City of Guadalupe and the City of Solvang, in the amounts identified for Fiscal Year 2009/2010 in the Federal Transportation Improvement Program (FTIP).

**A-13) PUBLIC WORKS**[10-00534](#)

Approve and authorize the Chair to execute Amendment No. 1 to extend the date of completion for the existing Agreement with P and D Consultants, a District of AECOM USA, Inc. for Implementation of the California Red-legged Frog Management Plan for the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project and to change the name of the contractor and contractor's representative.

**A-14) PUBLIC WORKS**[10-00535](#)

Consider the recommendations regarding the Seismic Retrofit of Two Bridges (No. 51C-014) and (51C-016), Located on Jalama Road at Salsipuedes and Ramajal Creeks in the Third Supervisorial District; Federal Aid Project No. BRLSZD-5951 (113 and 117); Combined County Project Numbers 862276 and 862277

- a) Accept Notice of Completion for work performed by the Contractor, Souza Construction, Inc. (not a local vendor), Post Office Box 3810, San Luis Obispo, California 93403-3810, and authorize Clerk to Record; and
- b) Review and approve the Statement of Final Quantities for work performed and materials supplied for this project by the Contractor, in the amount of \$633,062.97.

**A-15) PUBLIC WORKS**[10-00538](#)

Consider recommendations regarding a parking restriction on Union Avenue, and a disabled persons parking zone on First Street, Fourth District, as follows:

- a) Adopt a Resolution establishing a no parking zone on Union Ave, and a disabled persons parking zone on First Street in the Old Town Orcutt Area; and
- b) Approve a Notice of Exemption pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (c), pertaining to maintenance and operation of existing facilities.

A-16) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT

[10-00536](#)

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

Consider recommendations regarding Agreements for Services for maintenance and protection of flood control facilities, as follows:

a) Approve and authorize the Chair to execute Agreements for services needed for maintenance and protection of flood control facilities for the period of July 1, 2010 through June 30, 2011, in an amount not to exceed \$350,000.00, with each of the following local contractors:

- i) Bob's Backhoe and Trucking (a local vendor);
- ii) Tierra Contracting, Inc. (a local vendor);
- iii) R.W. Scott Construction Company, Inc. (a local vendor);
- iv) Lash Construction Inc. (a local vendor); and
- v) Granite Construction Company (a local vendor).

A-17) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT

[10-00541](#)

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

Consider recommendations regarding the approval of the Lillingston Canyon Debris Basin Addendum to the program Environmental Impact Report (EIR) (01-EIR-01) for the Routine Maintenance Program, First District, as follows:

- a) Approve the Lillingston Canyon Debris Basin Addendum;
- b) Approve the Lillingston Canyon Debris Basin Addendum to Program EIR (01-EIR-01) has been completed in compliance with the California Environmental Quality Act (CEQA);
- c) Certify that the Board has reviewed and considered the information contained in the Final Program EIR and the Lillingston Canyon Debris Basin Addendum; and
- d) Adopt the Mitigation and Monitoring Program.



A-18) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [10-00540](#)

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

Approve plans and specifications for the Mud Lake Basins Siphon Improvement Project Phase I, Fourth District.

A-19) SOCIAL SERVICES [10-00525](#)

Approve and authorize the Chair to execute a Contract with Casa Pacifica Centers for Children and Families (Casa Pacifica) in the amount not to exceed \$2,082,060.00 (Fiscal Year 2010/2011 \$694,020.00, Fiscal Year 2011/2012 \$694,020.00 and Fiscal Year 2012/2013 \$694,020.00) to provide Children's Wraparound Services (SB 163) as a family-centered, community-oriented, culturally sensitive, strength-based, individualized alternative to sending foster children to, or keeping them in group home placements. The Contract period shall be effective July 1, 2010 through June 30, 2013 upon approval of the Board of Supervisors.

A-20) SOCIAL SERVICES [10-00537](#)

Approve and authorize the Chair to execute a Professional Services Agreement with Martha Yopez as the New Cuyama Family Resource Center Coordinator, for the period of July 1, 2010 through June 30, 2011, at a cost not to exceed \$66,919.19.

**Board of Supervisors**

A-21) SUPERVISOR FARR [10-00533](#)

Approve the reappointment of Kathleen Claire (KC) Thompson to the Santa Barbara County Arts Commission, term ending June 30, 2013, Third District.

A-22) SUPERVISOR GRAY [10-00548](#)

Approve the appointment of Thomas C. Hom to the Historic Landmark Advisory Committee, term ending January 1, 2013, Fourth District.

A-23) SUPERVISOR CENTENO [10-00532](#)

Approve the reappointment of Diane L. Stevenett to the Santa Barbara County Arts Commission, term ending June 30, 2013, Fifth District.

A-24) SUPERVISOR CENTENO[10-00428](#)

Consider recommendations regarding adding Chapter 48 to the County Code known as the Santa Barbara County Social Host Liability Ordinance, as follows:

- a) Consider the adoption (second reading) of the Ordinance entitled, An Ordinance of the Board of Supervisors Adding Chapter 48 to the Santa Barbara County Code to Provide Social Host Liability for Underage Drinking.

*Legislative History*

5/11/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 1, 2010 in Santa Barbara (EST. TIME: 2 HRS.). The motion carried by the following vote:

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

6/1/10

BOARD OF SUPERVISORS

Acted on and set for a hearing, as follows:

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Centeno, 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 for June 15, 2010.

b) Set hearing on the Administrative Agenda for June 15, 2010 in Santa Maria.

Directed staff as follows:

i) Review potential for ADHMS to take the lead in establishing the educational programs, informational documents and all necessary tools to address parents, students and any other community members and groups regarding the changes in law upon the adoption of the Ordinance;

ii) Human Resources Director to interface with County Superintendent of Schools to promote the educational component of the Ordinance throughout the County between the months of September, October and November, 2010;

iii) Directed Sheriff not to cite any individual until after this educational period has passed;

iv) Revised Ordinance title to read: "Social Host Liability Ordinance"; and

v) Directed the development of protocols for the appeal process be established and returned to the Board for review.

Further directed staff to return to the Board in one year with a status report.

The motion carried by the following vote:

*HEARING TIME: 10:25 A.M. - 1:45 P.M. (1 HR., 45 MIN.)*

Ayes: 4 Supervisor Carbajal, Supervisor Wolf, Supervisor Gray, and Supervisor Centeno

Noes: 1 Supervisor Farr

**Hearing Requests****ADDENDUM****Item A-25) on the Administrative Agenda is amended, as follows:****A-25) SHERIFF, COUNTY EXECUTIVE OFFICE****[10-00543](#)**

Set hearing to consider recommendations regarding placing Public Safety Enhancements, Jail Construction, Operation and Existing Jail Refurbishment ½ Cent Transactions (Sales), and Use Tax Ballot Measure on the November 2, 2010 ballot, as follows: (4/5 Vote Required) (Set hearing for 6/22/10. Time estimate 1 hour.)

a) Consider the introduction (first reading) of an Ordinance Imposing a Santa Barbara County ½ Cent Transactions (Sales) and Use Tax Measure for Front-line Public Safety Enhancements and Jail Construction, Operation and Existing Jail Refurbishment to be administered by the State Board of Equalization;

b) Consider a Resolution Calling and Providing For a Special Election to be Held on November 2, 2010 to Submit to the Qualified Electors of the County of Santa Barbara a Measure on Whether to Approve an Ordinance Imposing a Santa Barbara County ½ Cent Transactions (Sales) and Use Tax Measure for Front-line Public Safety Enhancements and Jail Construction, Operation and Existing Jail Refurbishment and Directing giving notice of a special tax election to determine whether to impose a special Transactions (Sales) and Use Tax to increase frontline public safety services (law enforcement and fire protection) construct and operate a new 304 bed jail facility, refurbish the existing jail and provide for preventative treatment and alternative to custody programs to reduce recidivism and the number of future inmates;

c) Adopt a Resolution requesting that the election for the special sales tax be consolidated with the November 2, 2010 election;

d) Consider directing the Auditor Controller review the Ordinance/Measure and determine where the substance thereof, if adopted, would affect the revenues or expenditures of the County, and to prepare a Fiscal Impact Statement pursuant to Elections Code Section 9160(c);

e) Consider adopting and authorizing the filing of the Argument in Favor of the Measure; and

f) Set a hearing for July 6, 2010 to consider recommendations, as follows:

i) Consider the adoption (second reading) of an Ordinance Imposing a Santa Barbara County ½ Cent Transactions (Sales) and Use Tax Measure for Front-line Public Safety Enhancements and Jail Construction, Operation and Existing Jail Refurbishment to be administered by the State Board of Equalization;

ii) Adopt a Resolution Calling and Providing For a Special Election to be Held on November 2, 2010 to Submit to the Qualified Electors of the County of Santa Barbara a Measure on Whether to Approve an Ordinance Imposing a Santa Barbara County ½ Cent Transactions (Sales) and Use Tax Measure for Front-line Public Safety Enhancements and Jail Construction, Operation and Existing Jail Refurbishment, and Directing That the Election Be Consolidated with the November 2, 2010 Election;

iii) Direct the Auditor-Controller to review the Ordinance/Measure and determine whether the substance thereof, if adopted, would affect the revenues or expenditures of the County, and to prepare a fiscal impact statement pursuant to Elections Code Section 9160(c); and

iv) Adopt and authorize the filing of the Argument in Favor of Public Safety Enhancements and Jail Construction, Operation and Existing Jail Refurbishment Ballot Measure.

A-26) PLANNING AND DEVELOPMENT, PUBLIC WORKS

[10-00530](#)

Set hearing to receive and file a status report on implementation of Low Impact Development standards and new storm water requirements from the Regional Water Quality Control Board. (Set hearing for 8/10/10. Time estimate 1 hour.)

A-27) SOCIAL SERVICES

[10-00526](#)

Set hearing to receive and file a report from the Adult and Aging Network (AAN) and the Area Agency on Aging on the state of older adults in Santa Barbara County. (Set hearing for 6/22/10. Time estimate 15 minutes.)

**Administrative Items****A-28) COUNTY EXECUTIVE OFFICE**[10-00550](#)

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

**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**

**Department requests continuance of Departmental Item No. 1) to June 22, 2010**

1) **GENERAL SERVICES**

**10-00506**

HEARING - Consider recommendations regarding the Santa Maria Court Clerk's Building, Project No. 8526, Award Construction Contract, Fifth District, as follows: (EST. TIME: 20 MIN.)

a) Reject the bid submitted by Lewis C. Nelson and Sons, Inc. (Nelson) as non-responsive, based on the following findings to be made by your Board:

i) The irregularities in Nelson's bid were material and render the bid non-responsive;

ii) The listing of a roofing subcontractor who has not specialized in Tremco Roofing products, is not approved, authorized or licensed by Tremco, and is not eligible to receive a twenty-year Tremco manufacturer's warranty, all as required by the bid documents, conferred on Nelson an unfair competitive advantage during bidding; and

iii) To the extent that the deviations from bid requirements may be considered immaterial, the Board elects to exercise its discretion by declining to waive the irregularities in Nelson's bid;

b) Find that the non-responsiveness of Nelson's bid renders moot any requirement for a hearing on its claim of "inadvertent clerical error" regarding incorrect subcontractor listings;

c) Award a fixed price Construction Contract to the lowest responsive, responsible bidder, Vernon Edwards Constructors, Inc., (Edwards) (a local vendor) in the amount of \$3,569,098.00, subject to the provisions of the Contract and the plans and specifications applicable to the project;

d) Authorize the Director of General Services or his designee to approve change orders up to the limit specified in Public Contract Code Section 20142, or \$150,000.00 for this Contract; and

e) 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.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION:

**Legislative History**



5/25/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: June 1, 2010 in Santa Barbara (EST. TIME: 20 MIN.). The motion carried by the following vote:

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

6/1/10

BOARD OF SUPERVISORS

Continued, as follows:

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Continued, as follows: June 15, 2010 in Santa Maria (EST. TIME: 20 MIN.). The motion carried by the following vote:

*HEARING TIME: 9:51 A.M. - 9:52 A.M. (2 MIN.)*

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

## ADDENDUM

### Department requests the withdrawal of Departmental Item No. 2) from the Agenda

#### 2) SUPERVISOR GRAY

[10-00450](#)

HEARING - Approve and authorize the Chair to execute a letter supporting the Agricultural Advisory Committee's position regarding the Central Coast Regional Water Quality Control Board's proposal for a new agricultural discharge waiver. (EST. TIME: 15 MIN.)

#### Legislative History

5/11/10

BOARD OF SUPERVISORS

Acted on as follows:

Acted on as follows:

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

5/25/10

BOARD OF SUPERVISORS

Continued, as follows:

A motion was made by Supervisor Gray,  
seconded by Supervisor Carbajal, that  
this matter be Continued, as follows: June  
15, 2010 in Santa Maria (EST. TIME: 45  
MIN.). The motion carried by the  
following vote:

*HEARING TIME: 10:10 A.M. - 10:11 A.M. (1 MIN.)*

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

3) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES[10-00492](#)

HEARING - Consider recommendations regarding Mental Health Services Published Charges, as follows: (EST. TIME: 15 MIN.)

a) Consider the introduction (first reading) of an Ordinance adjusting the Santa Barbara County Published Charges for Psychiatric Health Facility and outpatient mental health service; and

b) Set hearing for the Administrative Agenda of June 22, 2010 to consider the adoption (second reading) of an Ordinance adjusting the Santa Barbara County Published Charges for Psychiatric Health Facility and outpatient mental health service, effective 30 days after adoption by the Board of Supervisors.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

6/1/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 15, 2010 in Santa Maria (EST. TIME: 15 MIN.). The motion carried by the following vote:

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

4) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND  
WATER CONSERVATION DISTRICT

[10-00430](#)

HEARING - Acting as the Board of Directors, Flood Control and Water Conservation  
District: (EST. TIME: 10 MIN.)

Consider recommendations regarding the Flood Control Benefit Assessment Program for  
Fiscal Year 2010-2011 as follows:

- a) Consider the introduction (first reading) of an Ordinance amending Ordinance No. 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services imposing Flood Control Benefit Assessments for Fiscal Year 2010-2011;
- b) Receive and file a report regarding Flood Control Benefit Assessment for Fiscal Year 2010-2011 and direct recordation; and
- c) Set hearing for July 6, 2010 on the Administrative Agenda to consider recommendations as follows:
  - i) Make a determination upon each assessment described in the report filed by the Board of Supervisors at the June 15, 2010 meeting;
  - ii) Adopt a Resolution confirming Flood Control Benefit Assessment for Fiscal Year 2010-2011 and authorize the Clerk of the Board to record a certified copy;
  - iii) Consider the adoption (second reading) of an Ordinance amending Ordinance 3150, the Flood Control Benefit Assessment Ordinance, Relating to Benefit Assessments for Flood Control Services imposing Flood Control Benefit Assessments for Fiscal Year 2010-2011;
  - iv) Find that the assessment revenue will be used to meet operating expenses, including employee wage rates and fringe benefits, purchasing or leasing supplies, equipment, or materials, meeting financial reserve needs and requirements obtaining funds for capital projects necessary to maintain service within existing service areas, within meaning of Public Resources Code Section 21080(b)(8); and
  - v) Find that the recalculation and imposition of the annual Flood Control Benefit Assessment is not a 'project' as defined in CEQA Guidelines Section 15378.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

5/18/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: June 15, 2010 in Santa Maria (EST. TIME: 10 MIN.). The motion carried by the following vote:

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

5) PUBLIC WORKS

10-00422

HEARING - Consider recommendations regarding the Road Maintenance Annual Plan, Fiscal Year 2010-2011, as follows: (4/5 Vote Required) (EST. TIME: 20 MIN.)

- a) Adopt the Fiscal Year 2010-2011 Road Maintenance Annual Plan (RdMap);
- b) Approve the funded projects listed for Maintenance Program (County Forces) and Surface Treatment Program (Contracts/County Forces) within the Road Maintenance Annual Plan;
- c) Approve Notices of Exemption pursuant to the County's California Environmental Quality Act (CEQA) Guidelines Section 15302(c), pertaining to operations and maintenance of existing facilities for the above;
- d) Authorize the Director of Public Works to advertise the above mentioned projects contained within the Fiscal Year 2010-2011 Road Maintenance Annual Plan; and
- e) Reprogram 2007 Proposition 1B funds in the amount of \$350,000.00 from the Tepusquest Road Bridge to the Cottonwood Canyon Road paving project.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

- 5/11/10                      BOARD OF SUPERVISORS                      Set for a hearing, as follows:
- A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: May 25, 2010 in Santa Maria (EST. TIME: 30 MIN.). The motion carried by the following vote:
- Ayes:     5   Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno
- 5/25/10                      BOARD OF SUPERVISORS                      Continued, as follows:
- A motion was made by Supervisor Carbajal, seconded by Supervisor Centeno, that this matter be Continued, as follows: June 1, 2010 in Santa Barbara (EST. TIME: 30 MIN.). The motion carried by the following vote:
- HEARING TIME: 3:23 P.M. - 3:24 P.M. (1 MIN.)*
- Ayes:     5   Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno
- 6/1/10                      BOARD OF SUPERVISORS                      Continued, as follows:
- A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Continued, as follows: June 15, 2010 in Santa Maria (EST. TIME: 20 MIN.). The motion carried by the following vote:
- HEARING TIME: 4:13 P.M. - 4:15 P.M. (2 MIN.)*
- Ayes:     4   Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Centeno
- Absent:   1   Supervisor Gray

6) PUBLIC WORKS[10-00499](#)

HEARING - Consider recommendations regarding Solid Waste Tipping Fees, Collection Rates and Parcel Fee Schedules for Fiscal Year 2010-2011, as follows: (EST. TIME: 20 MIN.)

a) Adopt a Resolution, effective July 1, 2010, setting the fee schedules for solid waste handling and disposal fees at County and solid waste collection rates in the unincorporated area;

b) Adopt a Resolution, effective July 1, 2010, setting the Parcel Fee Schedule for the Cuyama Valley for Fiscal Year 2010-2011; and

c) Accept the Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) Guidelines.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

6/1/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: June 15, 2010 in Santa Maria (EST. TIME: 20 MIN.). The motion carried by the following vote:

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

**ADDENDUM**

**Item No. 7) is added to the Departmental Agenda, as follows:**

7) PLANNING AND DEVELOPMENT[10-00584](#)

HEARING - Approve and authorize the Chair to execute a letter to the Council on Environmental Quality, providing comments on the Minerals Management Service's policies, practices, and procedures in applying the National Environmental Policy Act to decisions about oil and gas leasing and development offshore California. (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

**Adjourn to****June 22, 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, June 15, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, June 17, 2010, at 5:00 PM and on Saturday, June 19, 2010, at 10:00 AM on CSBTV Channel 20.*

**<http://www.countyofsb.org>**