

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

Chandra L. Wallar, County Executive Officer

Agenda

Tuesday, December 7, 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

COUNTY COUNSEL

[10-01091](#)

Closed Session Agenda

Approval of Minutes of the November 9, 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) BOARD OF SUPERVISORS

[10-01045](#)

Adopt a Resolution of Commendation honoring Susan Curtis of the Long Range Planning Division of the Planning and Development Department as the December 2010 Santa Barbara County Employee of the Month.

A-2) SUPERVISOR CARBAJAL

[10-01022](#)

Adopt a Resolution proclaiming December 1, 2010 as World AIDS Day in Santa Barbara County.

A-3) SUPERVISOR CARBAJAL

[10-01023](#)

Adopt a Resolution of Commendation honoring Martial Arts Family Fitness for its anti-bullying efforts in Santa Barbara County.

A-4) SUPERVISOR CARBAJAL

[10-01024](#)

Adopt a Resolution of Commendation honoring Bega-US upon its 25th anniversary of service to Santa Barbara County.

A-5) SUPERVISOR GRAY[10-01019](#)

Adopt a Resolution of Commendation honoring Camillo 'Mel' Wilde for his service to the community and the citizens of Santa Barbara County.

Honorary Resolutions**A-6) SUPERVISOR CARBAJAL**[10-01025](#)

Adopt a Resolution of Commendation honoring Elaine Abercrombie for her service as President of the Santa Barbara Association of Realtors®.

A-7) SUPERVISOR WOLF[10-01061](#)

Adopt a Resolution proclaiming the week of December 6, 2010 through December 10, 2010 as Flood Awareness Week in Santa Barbara County.

A-8) SUPERVISOR CENTENO[10-01021](#)

Adopt a Resolution of Commendation honoring Supervising Probation Officer Barbara Ramsey Harmon upon her retirement from the Probation Department after over 22 years of dedicated service to the County of Santa Barbara.

A-9) SUPERVISOR GRAY[10-01044](#)

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

Administrative Items**A-10) AGRICULTURAL COMMISSIONER**[10-01040](#)

Approve and authorize the Agricultural Commissioner to execute an Agreement with the California Department of Food and Agriculture to support the High Risk Program for the period of July 1, 2010 through June 30, 2011 in the amount of \$115,218.00 and subsequent agreements for this purpose which do not require additional staffing.

A-11) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES[10-01053](#)

Consider recommendations regarding the acceptance of Federal Substance Abuse and Mental Health Services Administration (SAMHSA) Grants, as follows:

a) Authorize the Director of Alcohol, Drug and Mental Health Services (ADMHS) to accept funding awarded by the Federal Substance Abuse Mental Health Services Administration (SAMHSA) to fund the Clean and Sober Drug Court (CSDC) for the three-year period of September 30, 2010 through September 29, 2013, in an amount not to exceed \$325,000.00 annually;

b) Authorize the Director of ADMHS to accept funding awarded by SAMHSA to fund the Children Affected by Methamphetamine (CAM) Program for the four-year period of

September 30, 2010 through September 29, 2014, in an amount not to exceed \$370,000.00 annually;

c) Authorize the Director of ADMHS to accept funding awarded by SAMHSA to fund the Bridges to Recovery Program for juveniles exiting detention facilities for the three-year period of September 30, 2010 through September 29, 2013, in an amount not to exceed \$400,000.00 annually; and

d) Authorize the Director of ADMHS to negotiate terms related to the Notice of Grant Awards, including future amendments provided that the results of any such negotiations do not materially change the scope of the grants as originally supported by the Board.

A-12) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES

10-01055

Approve and authorize the Chair to execute an Agreement with The Regents of the University of California, Santa Barbara (a local vendor) for the provision of additional Alcohol and Drug Program evaluation services for Substance Abuse and Mental Health Services Administration grants, to increase the existing contract by \$73,655.00, for a new contract maximum of \$211,065.00 through June 30, 2011.

A-13) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES

10-01056

Approve and authorize the Chair to execute an Agreement with Medical Doctor Associates (not a local vendor) for the provision of locum tenens (temporary) psychiatrists at Alcohol, Drug and Mental Health Services (ADMHS) sites, to increase the existing contract by \$184,160.00 for a new contract maximum of \$284,160.00 through June 30, 2011.

A-14) AUDITOR-CONTROLLER, BOARD OF DIRECTORS, FIRE PROTECTION DISTRICT, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

10-00992

Acting as the Board of Supervisors, the Board of Directors, Fire Protection District, and the Board of Directors, Flood Control and Water Conservation Districts:

Consider recommendations regarding the Proposition 4/111 Appropriations Limit (GANN Initiative), as follows:

a) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2010/2011 for the County of Santa Barbara;

b) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2010/2011 for Santa Barbara County Service Area No. 3;

c) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2010/2011 for Santa Barbara County Service Area No. 4;

d) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2010/2011 for Santa Barbara County Service Area No. 5;

- e) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2010/2011 for Santa Barbara County Service Area No. 12;
- f) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2010/2011 for Santa Barbara County Service Area No. 32;
- g) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2010/2011 for Santa Barbara County Service Area No. 41;
- h) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2010/2011 for the Santa Barbara County Fire Protection District;
- i) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2010/2011 for the Santa Barbara North County Lighting District; and
- j) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2010/2011 for the Santa Barbara County Flood Control and Water Conservation Districts.

Legislative History

11/9/10

BOARD OF SUPERVISORS

Acted on as follows:

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Acted on as follows:

a) and b) Received and filed;

c) Set for November December 7, 2010 on Administrative Agenda; and

d) and e) Approved.

The motion carried by the following vote:

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

A-15) AUDITOR-CONTROLLER

[10-01029](#)

Receive and file the Annual Financial Report of the Santa Barbara County Redevelopment Agency for the Fiscal Year ending June 30, 2010.

A-16) COUNTY COUNSEL

[10-01031](#)

Approve and authorize the Chair to execute a Contract with Romero Law Firm (not a local vendor) for outside counsel services for the period of December 7, 2010 through January 1, 2012, in an amount not to exceed \$7,500.00. (4/5 Vote Required)

A-17) COUNTY EXECUTIVE OFFICE

[10-01038](#)

Accept two Challenge Awards from the California State Association of Counties (CSAC).

A-18) COUNTY EXECUTIVE OFFICE**[10-01039](#)**

Consider co-sponsoring the 2010 Toys for Tots Campaign and the Christmas Unity Food Drive for Santa Barbara County Employees.

A-19) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES**[10-01030](#)**

Consider recommendations regarding the implementation of previously-adopted wage increases, as follows:

a) Approve the implementation of previously-negotiated wage increases for classifications represented by the Service Employees International Union Local 620 (Local 620) and the Engineers and Technicians Association (ETA), and extend them to unrepresented Confidential, Unit 32, employees, effective January 10, 2011; and

b) Approve implementation of a previously-negotiated additional step to the salary ranges for all classifications represented by Union of American Physicians and Dentists (UAPD), effective January 10, 2011.

A-20) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES**[10-01063](#)**

Receive and file the Annual Report of the Civil Service Commission for Fiscal Year 2009/2010.

A-21) FIRE**[10-01052](#)**

Approve and authorize the Fire Department to accept donations of approximately \$102,000.00 worth of equipment from the Santa Barbara Firefighters Alliance (SBFA).

Department requests withdrawal of Administrative Item No. A-22) from the Agenda

A-22) FIRE**[10-01054](#)**

Approve and authorize the Chair to execute a one-year License Agreement between the County of Santa Barbara Fire Department and Firefighters of Santa Barbara, Inc., a California corporation (licensee), for the production of "On Duty with Santa Barbara Firefighters".

A-23) GENERAL SERVICES**[10-01057](#)**

Consider recommendations regarding permission to bid for the Lompoc Veterans Memorial Building Electrical Renovation Project, located at 100 E. Locust Ave. in Lompoc, California, Project No. 8693, Fourth District, as follows:

a) Approve the plans and specifications on file in the General Services Department and prepared by CSA Architects (a local vendor) for the Lompoc Veterans Memorial Building Electrical Renovation Project; and

b) Authorize the General Services Department to advertise the Lompoc Veterans Memorial Building Electrical Renovation Project for public bidding.

A-24) GENERAL SERVICES**10-01058**

Consider recommendations regarding the Santa Maria Valley YMCA (Stepping Stones Children Center) Termination of Lease and Service Agreement at the Betteravia Government Center, Fifth District, as follows:

- a) Authorize the County Executive Office, First 5 Children and Family Commission to notify the Santa Maria Valley YMCA, the tenant using the child care center at the County Betteravia Government Center located at 2125 S. Centerpointe Parkway in the City of Santa Maria, to operate Stepping Stones Child Care Center, with a thirty day (30) notice of termination, pursuant to the Lease Agreement with the County of Santa Barbara which shall terminate on or before February 28, 2011;
- b) Authorize the County Executive Office, First 5 Children and Families Commission, to release a Request For Qualifications (RFQ) to lease and provide service to operate a child care center at the County Betteravia Government Center;
- c) Find the Request For Qualifications issuance exempt from the California Environmental Act (CEQA) review under the CEQA Guidelines Section 15301, which exempts the leasing and operation of existing facilities; and
- d) Approve the Notice of Exemption pursuant to CEQA.

A-25) GENERAL SERVICES**10-01060**

Consider recommendations regarding the Santa Barbara Jail Electronic Security Replacement Project, Second District, as follows:

- a) Approve the plans and specifications for the Santa Barbara Jail Electronic Security Replacement Project for the Sheriff's Department, with a total estimated construction cost of \$620,000.00;
- b) Approve the Categorical Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines; and
- c) Authorize the Director of General Services to advertise for construction bids.

A-26) GENERAL SERVICES**10-01059**

Consider recommendations regarding the Union Valley Parkway Extension Phase 3 Project, County Project No. 863011, ORES 003618, Fourth District, as follows:

a) Approve and authorize the Chair to execute the Real Property Purchase Contract and Escrow Instructions with Robert G. Bunkelman and Dorothy J. Bunkelman, Trustees of the Bunkelman Revocable Family Trust, dated April 17, 1990, for purchase entry and permanent road easement over a portion of the owner's property known as County APN 107-210-035, in the amount of \$23,050.00, in connection with the Union Valley Parkway Extension Phase 3 Project, County Project No. 863011; and

b) Accept the Permanent Easement Deed to the real property conveyed from Robert G. Bunkelman and Dorothy J. Bunkelman, Trustees of the Bunkelman Revocable Family Trust, dated April 17, 1990 to the County of Santa Barbara for a portion of land located on the property known as Santa Barbara County Assessor Parcel No. 107-210-035, by authorizing the Clerk of the Board to execute the Certificate of Acceptance;

c) Approve and authorize the Chair to execute the Real Property Purchase Contract and Escrow Instructions with Mariposa Reale Limited Partnership, to purchase temporary entry to facilitate the construction, detour, erosion protection, and other related improvements over a portion of the owner's property known as County APN 107-590-0015 and 107-580-027, in the amount of \$500.00; and

d) Accept the Planning Commission's report showing that the acquisition of road easements is consistent with the Comprehensive Plan of the County of Santa Barbara pursuant to Government Code 65402.

A-27) GENERAL SERVICES, BOARD OF DIRECTORS, REDEVELOPMENT AGENCY**10-01051**

Acting as the Santa Barbara County Redevelopment Agency Board of Directors:

Approve and authorize the Chair to execute the Second Amendment to the Lease Agreement between the Santa Barbara County Redevelopment Agency and the Santa Barbara Neighborhood Clinic (Clinic), to reduce the rental rate from \$6,598.80 per month to \$3,110.00 per month and reduce the lease term from approximately 8 years to one year, for the Clinic's use of approximately 3,110 square feet of office space located on the first floor of the Redevelopment Agency-owned property at 970 Embarcadero Del Mar, in the Isla Vista area, Third District.

A-28) PLANNING AND DEVELOPMENT**10-01064**

Receive and file a report on Emergency Permit No. 10EMP-00000-00009 for the Lorenzen Patio/Deck Removal at 6565 Del Playa Drive, Isla Vista, APN 075-213-009, Third District.

A-29) PLANNING AND DEVELOPMENT**[10-01065](#)**

Approve and authorize the Chair to execute a new non-prime Agricultural Preserve Contract, 09AGP-00000-00019, for the Leon S. Kaplan Revocable Trust, involving APN 083-030-058 (portion of), located on San Miguelito Canyon Road, approximately 2 miles south of the City of Lompoc, Third District.

A-30) PLANNING AND DEVELOPMENT**[10-01066](#)**

Approve and authorize the Chair to execute an Agricultural Preserve Contract, 10AGP-00000-00012, for Deutsche Bank National Trust Company, as Successor Trustee under Declaration of Trust of Eugene Rene LeRoy, involving APN 113-050-063, located on Bonita Lateral Road, between the levee and Main Street, approximately two and a half miles west of the City of Santa Maria, Fourth District.

A-31) PLANNING AND DEVELOPMENT**[10-01068](#)**

Approve and authorize the Chair to execute an Agricultural Preserve Contract, 10AGP-00000-00013, for Deutsche Bank National Trust Company, as Successor Trustee under Declaration of Trust of Eugene Rene LeRoy, involving APN 113-050-062, located on West Main Street, between the levee and Bonita School Road, approximately two and a half miles west of the City of Santa Maria, Fourth District.

A-32) PLANNING AND DEVELOPMENT**[10-01069](#)**

Approve and authorize the Chair to execute an Agricultural Preserve Contract, 10AGP-00000-00014, for Borel Private Bank and Trust Company, as Trustee of the Jean LeRoy Family Trust, involving APNs 113-050-006 and 113-050-060, located at the intersection of Highway 166 and Bonita School Road, approximately two and a half miles west of the City of Santa Maria, Fourth District.

A-33) PLANNING AND DEVELOPMENT**[10-01070](#)**

Approve and authorize the Chair to execute an Agricultural Preserve Contract, 10AGP-00000-00015, for Borel Private Bank and Trust Company, as Trustee of the Jean LeRoy Family Trust, involving APN 113-050-059, located at 2885 W. Main Street near Bonita School Road, approximately two and a half miles west of the City of Santa Maria, Fourth District.

A-34) PUBLIC HEALTH[10-01042](#)

Consider recommendations regarding a Revenue Agreement with the California Department of Public Health for HIV-AIDS Surveillance and Care Programs and the Second Amendment to the Expenditure Contract with the Pacific Pride Foundation, as follows:

a) Approve and authorize the Public Health Department Director to execute Revenue Agreement 10 95290 with the California Department of Public Health (CDPH) Office of AIDS for the HIV Surveillance and Care Programs, for the period of July 1, 2010 to June 30, 2013, in the amount of \$1,061,886.00; and

b) Approve and authorize the Chair to execute the Second Amendment to Board Contract 10-092 with the Pacific Pride Foundation, for the period of July 1, 2010 to June 30, 2013, in the amount of \$429,000.00.

A-35) PUBLIC HEALTH[10-01067](#)

Consider recommendations regarding a bid waiver request for server hardware from General Electric Healthcare, as follows: (4/5 Vote Required)

a) Authorize the Purchasing Manager to issue a purchase order for General Electric Healthcare (not a local vendor) in an amount not to exceed \$400,000.00 for the purchase, installation and configuration of server hardware as part of the Public Health Department's continuing steps in the implementation of an Electronic Health Record system;

b) Approve Budget Revision Request No. 0001247, in the amount of \$460,000.00, for funding the server hardware purchase from GE Healthcare in the amount of \$400,000.00, and Microsoft Server Licensing from CompuWave in the amount of \$60,000.00; and

c) Approve and authorize the Public Health Department to continue its steps toward the purchase and implementation of an Electronic Health Record system totaling approximately \$4.0 million, funded by previously established Public Health funds and enhanced with ARRA funds; expenditures for this project will take place throughout Fiscal Year 2010/2011 and Fiscal Year 2011/2012, with the stipulation that the Public Health Department will bring forward any and all Board contracts to the Board of Supervisors for formal approval.

A-36) PUBLIC WORKS[10-01033](#)

Accept a Notice of Completion for the work performed by the contractor, Windsor Fuel Company, Inc. (not a local vendor), P.O. Box 1029, Pittsburg, CA 94565-1029, for construction of the 2009-2010 County-wide preventive maintenance application of scrub seal and micro-surfacing, County Project No. 820618.

A-37) PUBLIC WORKS**[10-01034](#)**

Approve the Statement of Final Quantities for work performed and materials supplied by the contractor, Rockwood General Contractors, Inc. (not a local vendor), Post Office Box 1529, Nipomo, California, 93444, in the amount of \$1,159,120.60, for construction of the 2009 ARRA Shoulder Enhancement in Santa Ynez, County Project No. 862310, Federal Project No. ESPL 5951-131, Third District.

A-38) PUBLIC WORKS**[10-01041](#)**

Consider recommendations regarding construction of the Proposition 1B Overlay Project, County Project No. 810538, First, Second and Third Districts, as follows: (4/5 Vote Required)

a) Approve the filing of a Notice of Exemption pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301(c), pertaining to maintenance and operation of existing facilities, for this project;

b) Authorize the Director of Public Works to advertise for construction bids for the Proposition 1B Overlay Project;

c) Approve Budget Revision No. 001245 for \$1,618,084.00; and

d) Amend the Fiscal Year 2010/2011 RdMap to include the road segments shown in Attachment C of the Board Letter.

A-39) PUBLIC WORKS**[10-01072](#)**

Accept the offer of dedication for the easement shown on Parcel Map No. 14,756 (Russel Ranch) for Public Utility purposes pending recordation, Fifth District.

A-40) PUBLIC WORKS**10-00891**

Consider recommendations regarding Ordinances amending Chapter 15A of the Santa Barbara County Code relating to Flood Plain Management and Chapter 15B of the Santa Barbara County Code relating to Development along Watercourses, as follows:

- a) Consider the adoption (second reading) of an Ordinance amending Chapter 15A of the Santa Barbara County Code relating to Flood Plain Management;
- b) Consider the adoption (second reading) of an Ordinance amending Chapter 15B of the Santa Barbara County Code relating to Development along Watercourses; and
- c) Approve a CEQA Notice of Exemption to adopt Amendments to Ordinances of the Santa Barbara County Code relating to Flood Plain Management and Development along Water Courses.

Legislative History

10/12/10

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: November 9, 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

11/9/10

BOARD OF SUPERVISORS

Acted on as follows:

A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Acted on as follows:

Conducted public hearing.

a) Read title, waived further reading of the Ordinance. Introduction approved; adoption (second reading) set for December 7, 2010 on Administrative Agenda;

b) Read title, waived further reading of the Ordinance. Introduction approved; adoption (second reading) set for December 7, 2010 on Administrative Agenda; and

c) i, ii, iii) Set for December 7, 2010 on the Administrative Agenda.

The motion carried by the following vote:

HEARING TIME 3:42 PM - 3:57 PM (15 MIN.)

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

A-41) SANTA BARBARA COUNTY EMPLOYEE'S RETIREMENT SYSTEM [10-01050](#)

Authorize the Elections division of the County of Santa Barbara Clerk-Recorder-Assessor to administer the special election of the Board of Retirement.

Board of Supervisors

A-42) SUPERVISOR WOLF, SUPERVISOR FARR [10-01071](#)

Consider recommendations regarding a ban of hazardous materials on State Highway 154, as follows:

a) Approve and authorize the Chair and Supervisor Farr to execute a letter to the California Highway Patrol asking them to ban all hazardous materials transported on Highway 154 from milepost 8.11 to US-101 at milepost 32.28, except for local deliveries;

b) Authorize a request for written concurrence from affected surrounding jurisdictions that the proposed restriction is compatible with all requirements of §31304 of the California Vehicle Code to protect the water quality of Lake Cachuma; and

c) Authorize a request to the County of Santa Barbara's state lobbyist to work with the Santa Barbara County Association of Governments (SBCAG) to pursue legislation to further restrict the size of trucks on State Route 154 by size and/or weight due to the narrow lanes, lack of shoulders and steep grades of the roadway.

A-43) SUPERVISOR CARBAJAL [10-01037](#)

Approve the reappointment of Randy Graham to the Carpinteria Cemetery District, term ending December 31, 2013, First District.

A-44) SUPERVISOR CARBAJAL [10-01049](#)

Approve the appointment of William Connell to the Veterans' Services Advisory Committee, term ending July 1, 2012, First District.

A-45) SUPERVISOR WOLF [10-01026](#)

Approve the reappointment of Bob Cunningham to the Historic Landmarks Advisory Committee, term ending January 1, 2015, Second District.

A-46) SUPERVISOR WOLF [10-01027](#)

Approve the reappointment of Cecilia M. Brown to the County of Santa Barbara Planning Commission, term ending December 31, 2012, Second District.

A-47) SUPERVISOR WOLF [10-01028](#)

Approve the reappointment of James Kyriaco, Jr. to the Historic Landmarks Advisory Committee, term ending January 1, 2015, Second District.

A-48) SUPERVISOR WOLF [10-01036](#)

Approve the reappointment of Glen Morris to the South Coast Board of Architectural Review, term ending December 31, 2014, Second District.

A-49) SUPERVISOR GRAY [10-01046](#)

Approve the reappointment of James Sloan to the Lompoc Cemetery District Board of Directors, term ending December 31, 2014, Fourth District.

A-50) SUPERVISOR GRAY [10-01047](#)

Approve the reappointment of Ron Fairbanks to the Lompoc Cemetery District Board of Directors, term ending December 31, 2014, Fourth District.

A-51) SUPERVISOR GRAY [10-01048](#)

Approve the reappointment of Ann Bartlett Eldridge to the Mental Health Commission, term ending January 1, 2014, Fourth District.

Hearing Requests**A-52) COUNTY EXECUTIVE OFFICE [10-01073](#)**

Set hearing to receive and file an initial overview of the 2011 Redistricting process and provide direction to staff as appropriate.
(Set hearing for 12/14/10. Time estimate 1 hour.)

A-53) SUPERVISOR FARR [10-01035](#)

Set hearing to consider and discuss an appropriate level of hiring freeze for the County of Santa Barbara, and direct staff to implement as appropriate.
(Set hearing for 12/14/10. Time estimate 30 minutes.)

A-54) SUPERVISOR GRAY, CHILD CARE PLANNING COUNCIL [10-01043](#)

Set hearing to consider recommendations regarding the Child Care Needs Assessment Report, as follows:
(Set hearing for 12/14/10. Time estimate 20 minutes.)

a) Receive and file the Child Care Needs Assessment Report, entitled "Early Care and Education Now, Santa Barbara County, 2010", to be submitted by the Santa Barbara County Child Care Planning Council to the California Department of Education; and

b) Approve and authorize the Chair to execute the Needs Assessment Report Form.

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 withdrawal of Departmental Item No. 1) from the Agenda

1) **AUDITOR-CONTROLLER**

10-01016

HEARING - Consider recommendations regarding GASB 54 Fund Balance Reporting and Fund Balance Policy, as follows: (EST. TIME: 1 HR.)

- a) Reaffirm that the County of Santa Barbara's Special Revenue Funds comply with GASB 54, with the potential exception of County Service Area 32 and the Santa Barbara County Fire Protection District;
- b) Take under consideration the recommended changes related to County Service Area 32 and the Santa Barbara County Fire Protection District for final adoption on January 11, 2011;
- c) Authorize the Auditor-Controller to reclassify existing reserve and designation accounts into the new classifications required by Governmental Accounting Standards Board Statement No. 54 (GASB 54) retroactive to July 1, 2010; and
- d) Consider for review a draft of the Santa Barbara County Fund Balance Policy for final adoption on January 11, 2011.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: WITHDRAW

Legislative History

11/9/10

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: December 7, 2010 in Santa Barbara (EST. TIME: 60 MIN.). The motion carried by the following vote:

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

Department requests continuance of Departmental Item No. 2) to December 14, 2010**2) PLANNING AND DEVELOPMENT**[10-01007](#)

HEARING - Consider recommendations regarding Small Wind Energy Systems Ordinance amendments to the County and Montecito Land Use and Development Codes, as follows:
(EST. TIME: 30 MIN.)

a) Consider the following recommendations of the County Planning Commission regarding Case No. 10ORD-00000-00003:

- i) Adopt findings for approval of the proposed ordinance including CEQA findings;
- ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15308 of the Guidelines for Implementation of CEQA;
- iii) Adopt an Ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code to implement a permit process regarding the development of Small Wind Energy Systems; and

b) Consider the following recommendations of the County Planning Commission regarding Case No. 10ORD-00000-00004:

- i) Adopt findings for approval of the proposed ordinance including CEQA findings;
- ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15308 of the Guidelines for Implementation of CEQA; and
- iii) Adopt an Ordinance amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code to implement a permit process regarding the development of Small Wind Energy Systems.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION:**Legislative History**

11/9/10

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: December 7, 2010 in Santa Barbara (EST. TIME: 30 MIN.). The motion carried by the following vote:

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

3) HOUSING AND COMMUNITY DEVELOPMENT[10-01014](#)

HEARING - Consider recommendations regarding an Ordinance amending Chapter 44 of the Santa Barbara County Code and other implementation actions related to the rights and duties of landlords and tenants of residential property, as follows: (EST. TIME: 1 HR.)

a) Consider the introduction (first reading) of an Ordinance amending Chapter 44 in its entirety of the Santa Barbara County Code pertaining to the rights and duties of landlords and tenants of residential property;

b) Set hearing on the Administrative Agenda of December 14, 2010 to consider the adoption (second reading) of an Ordinance amending Chapter 44 of the Santa Barbara County Code pertaining to the rights and duties of landlords and tenants of residential property; and

c) Determine that the adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA and direct filing of the Notice of Exemption.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

11/9/10

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: December 7, 2010 in Santa Barbara (EST. TIME: 60 MIN.). The motion carried by the following vote:

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

4) PLANNING AND DEVELOPMENT[10-01004](#)

HEARING - Consider recommendations regarding the designation of the Frances Rich Beach Cabana as a Historic Landmark, as follows: (EST. TIME: 1 HR)

- a) Approve the action of the Historic Landmarks Advisory Commission (HLAC) and adopt a Resolution designating the Frances Rich Beach Cabana as a County historic landmark and imposing certain conditions on the property, and determine that adoption of the Resolution is exempt from further environmental review pursuant to CEQA Section 15308; or
- b) Modify the action of the Historic Landmarks Advisory Commission (HLAC) and adopt a Resolution designating the Frances Rich Beach Cabana as a County historic landmark and imposing certain conditions on the property, and determine that adoption of the Resolution is exempt from further environmental review pursuant to CEQA Section 15308; or
- c) Direct staff to send a request to the HLAC to consider the Frances Rich Beach Cabana as a County place of historic merit; or
- d) Disapprove the action of the HLAC and determine that disapproval is exempt from CEQA pursuant to CEQA Section 15270; or
- e) Take no action, thereby allowing the action of the HLAC to designate the Frances Rich Beach Cabana as a County historic landmark to expire on January 9, 2011.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

11/9/10

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: December 7, 2010 in Santa Barbara (EST. TIME: 60 MIN.). The motion carried by the following vote:

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

5) FIRE[10-00990](#)

HEARING - Consider recommendations regarding an Ordinance amending Chapter 15 of the Santa Barbara County Code to adopt the 2010 California Fire Code, as follows: (EST. TIME: 1 HR.)

a) Consider the introduction (first reading) of an Ordinance amending Chapter 15 of the Santa Barbara County Code to adopt the 2010 California Fire Code, with amendments replacing the amended 2007 California Fire Code as the enforcement Code in all areas within the Santa Barbara County Fire Protection District and all other unincorporated areas of the County, except the areas within the Carpinteria/Summerland Fire Protection District, Montecito Fire Protection District, Vandenberg Air Force Base, and Bureau of Indian Affairs Lands, unless otherwise specified by this Ordinance;

b) Set hearing on the Administrative Agenda of December 14, 2010 to consider the adoption (second reading) of an Ordinance amending Chapter 15 of the Santa Barbara County Code to adopt the 2010 California Fire Code as set forth above; and

c) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

11/9/10

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: December 7, 2010 in Santa Barbara (EST. TIME: 60 MIN.). The motion carried by the following vote:

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

6) PLANNING AND DEVELOPMENT[10-01009](#)

HEARING - Consider recommendations regarding amendments to Chapter 10 of the Santa Barbara County Code relating to building construction, as follows: (EST. TIME: 30 MIN.)

a) Consider the introduction (first reading) of an Ordinance amending Chapter 10 of the Santa Barbara County Code relating to building construction;

b) Set hearing on the Administrative Agenda of December 14, 2010 to consider the adoption (second reading) of an ordinance amending Chapter 10 of the Santa Barbara County Code relating to building construction; and

c) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

11/9/10

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: December 7, 2010 in Santa Barbara (EST. TIME: 30 MIN.). The motion carried by the following vote:

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

7) PLANNING AND DEVELOPMENT[10-01006](#)

HEARING - Consider recommendations regarding an extension of the Interim Urgency Ordinance regarding Medical Marijuana Dispensaries, beyond its current expiration of January 7, 2011, as follows: (4/5 Vote Required) (EST. TIME: 30 MIN.)

a) Adopt an Ordinance extending the current Interim Urgency Ordinance for a Moratorium on Approval of Medical Marijuana Dispensaries for one (1) year from December 7, 2010, in order to provide staff (County Counsel, Planning and Development, Sheriff, and Probation Departments) with adequate time for studying and considering tools to draft language, regulate, restrict, or ban the operation of medical marijuana dispensaries;

b) Issue this report pursuant to Government Code section 65858(d); and

c) Determine that the adoption of this Countywide Urgency Ordinance is categorically exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15060(c)(2) and 15060(c)(3), and direct staff to file the Notice of Exemption.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

11/9/10

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: December 7, 2010 in Santa Barbara (EST. TIME: 60 MIN.). The motion carried by the following vote:

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

8) PUBLIC WORKS[10-00996](#)

HEARING - Consider recommendations regarding an Ordinance amending Chapter 17 of the Santa Barbara County Code regarding solid waste services, as follows: (EST. TIME: 10 MIN.)

a) Consider the introduction (first reading) of an Ordinance amending Chapter 17 of the Santa Barbara County Code regarding solid waste services;

b) Set hearing on the Administrative Agenda of December 14, 2010 to consider the adoption (second reading) of an Ordinance amending Chapter 17 of the Santa Barbara County Code regarding solid waste services; and

c) Approve a Notice of Exemption pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Legislative History

11/9/10

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: December 7, 2010 in Santa Barbara (EST. TIME: 10 MIN.). The motion carried by the following vote:

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

9) PUBLIC WORKS[10-00938](#)

HEARING - Consider recommendations regarding Vehicle Code Enforcement of Private Roads in the Hope Ranch Community, Second District, as follows: (EST. TIME: 45 MIN.)

a) Consider the introduction (first reading) of an Ordinance amending Chapter 23 of the Santa Barbara County Code pertaining to the ability to enforce the Vehicle Code on select private roads in Hope Ranch;

b) Receive and file the Traffic Engineering Report submitted by Penfield and Smith pertaining to the implementation and enforcement of traffic control devices on select private roads in Hope Ranch; and

c) Set hearing on the Administrative Agenda of December 14, 2010 to consider the following recommendations:

i) Consider the adoption (second reading) an Ordinance amending Chapter 23 of the Santa Barbara County Code, pertaining to the ability to enforce the Vehicle Code on select private roads in Hope Ranch;

ii) Approve the findings in the Traffic Engineering Report submitted by Penfield and Smith pertaining to the implementation and enforcement of traffic control devices on select private roads in Hope Ranch; and

iii) Approve a Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines under section 15301 for implementation of the enforcement on private roads in the Hope Ranch community.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Legislative History

10/19/10

BOARD OF SUPERVISORS

Set for a hearing, as follows:

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: December 7, 2010 in Santa Barbara (EST. TIME: 45 MIN.). The motion carried by the following vote:

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

Absent: 1 Supervisor Farr

Adjourn to**December 14, 2010****Betteravia Government Center****Board Hearing Room****511 East Lakeside Parkway****Santa Maria****Challenges**

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

Announcements

The meeting of Tuesday, December 7, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, December 9, 2010, at 5:00 PM and on Saturday, December 11, 2010, at 10:00 AM on CSBTV Channel 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON THE FOLLOWING DATES: TUESDAY, DECEMBER 21, 2010 AND TUESDAY, DECEMBER 28, 2010.

<http://www.countyofsb.org>