

**County of Santa Barbara**  
**BOARD OF SUPERVISORS**



*First District - Salud Carbajal*  
*Second District - Janet Wolf, Vice Chair*  
*Third District - Doreen Farr*  
*Fourth District - Joni Gray*  
*Fifth District - Joseph Centeno, Chair*

*Michael F. Brown, County Executive Officer*

**Action Summary**

**Tuesday, November 10, 2009**

**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).

**7:30 A.M. .... Convened and Recessed to Closed Session**

**9:00 A.M. .... Reconvened to Regular Session**

*CONVENED AT 9:12 A.M.*

**Roll Call**

**Present:** 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

**Pledge of Allegiance**

**Report from Closed Session**

COUNTY COUNSEL

[09-00952](#)

Closed Session Agenda

**County Counsel reported that by a vote of 5:0, the Board of Supervisors authorized the County entering into a tolling agreement with the Department of the Interior.**

**Approval of Minutes of the November 3, 2009 Meeting**

**A motion was made by Supervisor Wolf, seconded by Supervisor Gray, to Approve the Minutes. The motion carried by the following vote:**

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

**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 at 9:15 A.M.**

A-1) SUPERVISOR CENTENO [09-00946](#)

Adopt a Resolution proclaiming the month of November 2009 as National Methamphetamine Awareness Month in Santa Barbara County.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Adopted.**

**RESOLUTION NO. 09-334**

**The motion carried by the following vote:**

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

**Honorary Resolutions**

A-2) SUPERVISOR WOLF [09-00963](#)

Adopt a Resolution of Commendation honoring Myron L. Liebhaber, M.D. as the Santa Barbara County Medical Society's 2009 Physician of the Year.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 09-335**

**The motion carried by the following vote:**

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

A-3) SUPERVISOR FARR [09-00964](#)

Adopt a Resolution of Commendation honoring Sergeant Stephen M. Cleaves upon his retirement from the Sheriff's Department after over 28 years of faithful and distinguished service to the citizens of Santa Barbara County.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 09-336**

**The motion carried by the following vote:**

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

**Administrative Items****A-4) AGRICULTURAL COMMISSIONER [09-00947](#)**

Approve and authorize the Agricultural Commissioner to execute an American Recovery and Reinvestment Act (ARRA) Grant Agreement with the California Department of Food and Agriculture to support the Weed Management Area Projects for Punagrass Control and Santa Cruz Island Habitat Enhancement projects, for the period of January 1, 2010 through December 31, 2011, in the amount of \$40,503.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote:**

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

**A-5) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [09-00939](#)**

Consider recommendations regarding Contract Amendments for Alcohol and Drug Program services for the period of July 1, 2009 through June 30, 2010, as follows:

- a) Approve and authorize the Chair to execute an Amendment to the Contract with Good Samaritan Shelter, Inc. (a local vendor) reducing the amount by \$83,018 for a revised contract in the amount of \$1,616,640;
- b) Approve and authorize the Chair to execute an Amendment to the Contract with the Council on Alcoholism and Drug Abuse (a local vendor) reducing the amount by \$91,231 for a revised contract in the amount of \$1,308,059;
- c) Approve and authorize the Chair to execute an Amendment to the Contract with Casa Serena (a local vendor) reducing the amount by \$32,250 for a revised contract in the amount of \$104,514;
- d) Approve and authorize the Chair to execute an Amendment to the Contract with Coast Valley Substance Abuse (a local vendor) increasing the amount by \$27,500 for a revised contract in the amount of \$355,900;
- e) Approve and authorize the Chair to execute an Amendment to the Contract with Family Service Agency (a local vendor) decreasing the amount by \$9,600 for a revised contract in the amount of \$123,444;
- f) Approve and authorize the Chair to execute an Amendment to the Contract with Mental Health Systems, Inc. (a local vendor) decreasing the amount by \$59,634 for a revised contract in the amount of \$404,373;
- g) Approve and authorize the Chair to execute an Amendment to the Contract with Phoenix of Santa Barbara (a local vendor) increasing the amount by \$4,744 for a revised contract in the amount of \$126,978;
- h) Approve and authorize the Chair to execute an Amendment to the Contract with Santa Maria Valley Youth and Family (a local vendor) increasing the amount by \$5,218 for a revised contract in the amount of \$242,116;
- i) Approve and authorize the Chair to execute an Amendment to the Contract with University of California, Santa Barbara (a local vendor) decreasing the amount by \$1,000 for a revised contract in the amount of \$170,000;
- j) Approve and authorize the Chair to execute an Amendment to the Contract with Zona Seca, Inc. (a local vendor) decreasing the amount by \$66,157 for a revised contract in the amount of \$376,555; and
- k) Authorize the Director of Alcohol, Drug, and Mental Health Services to approve Amendments to the

proposed contracts, provided that any such Amendments do not exceed ten percent (10%) of each contract’s dollar amount.

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

**a) through j) Approved; Chair to execute.**

**k) Authorized.**

**The motion carried by the following vote:**

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

**A-6) AUDITOR-CONTROLLER 09-00950**

Receive and file the Santa Barbara County Final Budget for Fiscal Year 2009/2010.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Received and filed. The motion carried by the following vote:**

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

**A-7) AUDITOR-CONTROLLER 09-00968**

Acting as the Board of Supervisors; Board of Directors, Fire Protection District; and Board of Directors, Flood Control and Water Conservation Districts consider recommendations regarding the Proposition 4/111 Appropriations Limit, as follows:

- a) Receive and file the Brown Armstrong CPAs Accountant’s Report on the Appropriations Limit Worksheet for the year ended June 30, 2009;
- b) Receive and file the report of the Proposition 4/111 Appropriation Limits (GANN Initiative);
- c) Set hearing for December 1, 2009 (Administrative Agenda) to adopt the following ten resolutions:
  - i) Adopt a Resolution establishing an appropriation limit for FY 2009-10 for the County of Santa Barbara;
  - ii) Adopt a Resolution establishing an appropriation limit for FY 2009-10 for Santa Barbara County Service Area No. 3;
  - iii) Adopt a Resolution establishing an appropriation limit for FY 2009-10 for Santa Barbara County Service Area No. 4;
  - iv) Adopt a Resolution establishing an appropriation limit for FY 2009-10 for Santa Barbara County Service Area No. 5;
  - v) Adopt a Resolution establishing an appropriation limit for FY 2009-10 for Santa Barbara County Service Area No. 12;
  - vi) Adopt a Resolution establishing an appropriation limit for FY 2009-10 for Santa Barbara County Service Area No. 32;

vii) Adopt a Resolution establishing an appropriation limit for FY 2009-10 for Santa Barbara County Service Area No. 41;

viii) Adopt a Resolution establishing an appropriation limit for FY 2009-10 for the Santa Barbara County Fire Protection District;

ix) Adopt a Resolution establishing an appropriation limit for FY 2009-10 for the Santa Barbara North County Lighting District; and

x) Adopt a Resolution establishing an appropriation limit for FY 2009-10 for the Santa Barbara County Flood Control and Water Conservation Districts;

d) Select the change in the California Per Capita Personal Income as the price factor in determining the fiscal year 2009-10 limit for Santa Barbara County and the special districts, and ratify selections by recorded vote; and

e) Select the change in population within Santa Barbara County and all contiguous counties as the population factor in determining the fiscal year 2009-10 limit for Santa Barbara County, and the change in population within Santa Barbara County for the special districts and ratify selections by recorded vote.

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

**a) and b) Received and filed.**

**c) Set hearing for December 1, 2009 in Santa Barbara.**

**The motion carried by the following vote:**

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

**A-8) COUNTY EXECUTIVE OFFICE [09-00936](#)**

Consider co-sponsoring, with the Unity Shoppe, the 2009 Toys for Tots Campaign and the Christmas Unity Food Drive for Santa Barbara County Employees.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote:**

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

**A-9) COUNTY EXECUTIVE OFFICE [09-00953](#)**

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

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote:**

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

## A-10) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

[09-00972](#)

Consider recommendations regarding the 2010 Medical and Dental Insurance Program Renewal, as follows:

- a) Regarding the CSAC-EIA Health Risk Pool, approve entering the California State Association of Counties Excess Insurance Authority (CSAC-EIA) Health risk sharing pool and the selection of Blue Shield of California Health Insurance offered through CSAC-EIA Health, as the County's primary health insurance carrier to replace Aetna Inc. of California, and replace all existing Aetna medical plans for active employees and retirees, effective January 1, 2010, with premium rates fixed for the calendar year 2010 and with the plan designs, and authorize the Assistant CEO/Human Resources Director to execute any necessary documents with CSAC-EIA Health;
- b) Regarding Kaiser Permanente HMO Health Plans, approve the renewal of the Kaiser Permanente High and Low HMO plans at existing benefit levels at a premium increase of 12.7% effective January 1, 2010 for all active employees and retirees for a twelve-month term;
- c) Regarding the County Self-Funded Dental PPO Plan, accept the annual Actuarial Report for the County Self-Funded Dental Plan and continue the existing program benefits at the current premium levels effective January 1, 2010;
- d) Regarding the Golden West Pacesetter Dental HMO Plan, approve the renewal of the existing Golden West Dental HMO plan and existing benefits at a premium increase of 8.5% for active employees and retirees for a twelve-month period effective January 1, 2010;
- e) Regarding the CareCounsel Healthcare Assistance Program, approve the renewal of the CareCounsel Healthcare Assistance Program for all covered active employees at the current premium rate of \$1.80 per month and covered retirees at the current premium rate of \$2.90 per month, for a twelve-month period effective January 1, 2010; and
- f) Regarding United Healthcare Secure Horizons Medicare Risk HMO Health Plans, approve the renewal of the United Healthcare Secure Horizons Medicare Risk HMO Health Plans for County of Santa Barbara retirees, effective January 1, 2010, for a one-year term and authorize Assistant CEO/Human Resources Director to execute any necessary documents.

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

**a) through f) Approved.**

**The motion carried by the following vote:**

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

A-11) GENERAL SERVICES

[09-00938](#)

Consider recommendations regarding Agreements to Provide Water at 710 and 718 Ballard Canyon Road in Solvang, Third District, as follows:

a) Approve and authorize the Chair to execute the Agreement to Provide Water with Lisa S. Martin and Donna M. Williams, owners of 710 Ballard Canyon Road, to provide for the delivery of water from the County of Santa Barbara’s Ballard Canyon water system; and

b) Approve and authorize the Chair to execute the Agreement to Provide Water with David J. Petersen, Sheila J. Petersen, Ruben Graciano and Janeen Graciano, collective owners of 718 Ballard Canyon Road, to provide for the delivery of water from the County of Santa Barbara’s Ballard Canyon water system.

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

**a) and b) Approved; Chair to execute.**

**The motion carried by the following vote:**

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

A-12) GENERAL SERVICES

[09-00954](#)

Approve and authorize the Chair to execute a Contractor on Payroll Contract with Celeste Manolas as Project Manager in the Capital Projects Division of the General Services Department, in the amount of \$212,784.00, for the two-year period from November 30, 2009 through December 2, 2011.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**

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

A-13) GENERAL SERVICES

[09-00955](#)

Approve and authorize the Chair to execute a Professional Services Contract with Richard Whirly as Contractor on Payroll in the Facilities Division of General Services Department, in the amount of \$125,590, for the two-year period from January 1, 2010 through December 31, 2011.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**

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



**A-14) LEGISLATIVE PROGRAM COMMITTEE****09-00970**

Approve and authorize the Chair to send a letter opposing the implementation of a centralized privatized statewide eligibility determination and case management process (ABX4 7) for the public assistance programs of CalWORKs, Medi-Cal and Supplemental Nutrition Assistance Programs (Food Stamps) to the Governor, the Secretary of Health and Human Services, the County's elected State delegation and the California State Association of Counties.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**

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

**A-15) PLANNING AND DEVELOPMENT****09-00943**

Approve and authorize the Clerk of the Board to execute and record a new non-prime Agricultural Preserve Contract 09AGP-00000-00018 for the Walter J. Holmdahl and Genevieve Holmdahl Trust B. The new contract involves a portion of APN 083-030-010, located at 2541 San Miguelito Road, approximately 2 miles south of the City of Lompoc, Third District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**

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

**A-16) PLANNING AND DEVELOPMENT****09-00944**

Approve and authorize the Clerk of the Board to execute and record a new non-prime Agricultural Preserve Contract 09AGP-00000-00015 for Monty and Debra Holden involving APN 131-070-031, located at Pine Canyon Road, about 3 miles from Highway 166, west of Tepesquet Road in the Cuyama area, Fifth District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**

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

**A-17) PUBLIC WORKS****09-00948**

Approve and authorize the Project Clean Water Manager or designee to seek and apply for water quality project and program grants from Federal or State government agencies, or other funding entities, during Fiscal Year 2009/2010.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote:**

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

**A-18) PUBLIC WORKS**[09-00951](#)

Consider recommendations regarding the submittal of an Application for Funding from the California Department of Forestry and Fire Protection's Urban Forestry Grant Program for Fiscal Year 2009/2010, as follows:

- a) Approve a Resolution in support of the County of Santa Barbara's application for funding from the California Department of Forestry and Fire Protection's Urban Forestry Grant Program for Fiscal Year 2009/2010; and
- b) Authorize the Public Works Director to accept \$48,000 in Grant Funding from the California Department of Forestry and Fire Protection's Urban Forestry Grant Program for Fiscal Year 2009/2010.

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

**a) Adopted.**

**RESOLUTION NO. 09-337**

**b) Authorized.**

**The motion carried by the following vote:**

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

**A-19) PUBLIC WORKS**[09-00962](#)

Consider recommendations regarding the vacation of a portion of Gonzales Drive and St. Joseph Street and acceptance of an Easement on Gonzales Drive, Los Alamos, Third District, as follows:

- a) Adopt a Resolution (Summary Order to Vacate) to vacate a portion of the unused right-of-ways know as Gonzales Drive and St. Joseph Street, which are both located on APN 101-110-035 in Los Alamos; and
- b) Accept a Permanent Easement for road purposes, from the Housing Authority of the County of Santa Barbara, by authorizing the Clerk of the Board to execute the Certificate of Acceptance. The Easement encumbers a portion of the Housing Authority's property at 33 St. Joseph Street in Los Alamos, APN 101-110-035.

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

**a) Adopted.**

**RESOLUTION NO. 09-338**

**b) Accepted.**

**The motion carried by the following vote:**

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

**A-20) SANTA BARBARA COUNTY EMPLOYEE'S RETIREMENT SYSTEM****09-00961**

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

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Authorized. The motion carried by the following vote:**

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

**A-21) SOCIAL SERVICES****09-00937**

Approve and authorize the Chair to execute an Agreement with Good Samaritan Shelter to provide Alcohol and Drug Treatment Services to Child Welfare Services clients in the amount of \$192,006 for the period of December 1, 2009 through June 30, 2010.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute. The motion carried by the following vote:**

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

**A-22) TREASURER-TAX COLLECTOR****09-00965**

Receive and file the Fiscal Year 2009-2010 First Quarter (July 2009 through September 2009) report on the Treasurer's Investment Pool, pursuant to Government Code Section 53646(b).

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Received and filed. The motion carried by the following vote:**

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

**A-23) AUDITOR-CONTROLLER****09-00959**

Receive and file the Auditor-Controller's Report on the Statement of Assets of the Santa Barbara County Treasurer, as of September 30, 2009.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Received and filed. The motion carried by the following vote:**

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

**Board of Supervisors**

A-24) SUPERVISOR WOLF [09-00945](#)

Approve the reappointment of Patricia A. Jones to the County of Santa Barbara Assessment Appeals Board No. 1, term ending September 1, 2012, Second District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote:**

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

A-25) SUPERVISOR FARR [09-00940](#)

Approve the appointment of Dr. Ingeborg Cox to the Santa Barbara County Air Pollution Control District Community Advisory Council, term ending December 31, 2012, Third District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote:**

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

A-26) SUPERVISOR FARR [09-00941](#)

Approve the appointment of Jennifer Beyer to the County of Santa Barbara Riding and Hiking Trails Committee, term ending October 10, 2010, Third District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote:**

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

A-27) SUPERVISOR FARR [09-00942](#)

Approve the reappointment of Geraldine Shepherd to the County of Santa Barbara Historic Landmarks Advisory Committee, term ending December 31, 2012, Third District.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote:**

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

**A-28) SUPERVISOR CARBAJAL, SUPERVISOR WOLF**[09-00971](#)

Consider recommendations regarding Telecommunications Review and Siting, as follows:

a) Authorize the Chair to send a letter to the Federal Communications Commission (FCC) regarding the FCC review of the Telecommunications Act; and

b) Adopt a Resolution supporting local government authority in regulating telecommunications.

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

**a) Authorized; Chair to execute.**

**b) Adopted.**

**RESOLUTION NO. 09-339**

**The motion carried by the following vote:**

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

## Hearing Requests

**A-29) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES, AUDITOR-CONTROLLER**[09-00956](#)

Set hearing to receive and file an update on the Alcohol, Drug and Mental Health Services Department. (Set hearing for 12/8/09. Time estimate 1 hour.)

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: December 8, 2009 in Santa Maria (EST. TIME: 60 MIN.) The motion carried by the following vote:**

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

**A-30) COUNTY EXECUTIVE OFFICE, BOARD OF DIRECTORS, REDEVELOPMENT AGENCY, PUBLIC WORKS**[09-00966](#)

Set hearing to consider recommendations regarding an Isla Vista Outdoor Dining Program Ordinance, Third District, as follows: (Set hearing for 12/1/09. Time estimate 20 minutes.)

a) Set hearing to consider the introduction (first reading) of the Isla Vista Outdoor Dining Program Ordinance amending Chapter 28 of the Santa Barbara County Code pertaining to the Use of County Sidewalks and Rights-Of-Way for Dining Purposes in Isla Vista;

b) Adopt a Resolution to set a fee for the use of County Right-of-Way for Dining Purposes in Isla Vista; and

c) Set a hearing for December 8, 2009, to consider the adoption (second reading) of the Ordinance, amending Chapter 28 of the Santa Barbara County Code, pertaining to the Use of County Sidewalks and Rights-of-Way for Dining Purposes in Isla Vista.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: December 1, 2009 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

**A-31) COUNTY EXECUTIVE OFFICE**

**09-00969**

Set hearing to consider recommendations regarding the County Municipal Energy Financing District, as follows:

(Set hearing for 12/1/09. Time estimate 30 minutes.)

a) Receive and file a feasibility study and draft program administrative guidelines on the concept of developing a municipal energy financing program;

b) Adopt a Resolution agreeing to use American Recovery and Reinvestment Act (ARRA) grant funds for the proposed Central Coast Energy Independence Program (CCEIP), and direct staff to seek additional opportunities to offset costs;

c) Direct staff to begin formal program implementation, as follows:

i) Seek formal program participation commitments from cities within Santa Barbara County;

ii) Develop job descriptions and salary ranges for CCEIP personnel; and

iii) Return to the Board by January 12, 2010 to adopt a Resolution of Intention to form the Central Coast Energy Independence Program, and again on February 2, 2009 for formal program adoption;

d) Approve and authorize the Chair to execute an Agreement for Professional Legal Services with Bond Counsel, and authorize County Counsel to use Bond Counsel to initiate a judicial validation action, if needed ( 4/5 Vote Required); and

e) Authorize up to \$1 million as an advance receivable from the General Fund for program start-up and administration costs, to be reimbursed by ARRA grants, in two disbursements, as follows:

i) \$250,000 between now and January 12, 2010 for bond counsel, program set-up and pre launch activities; and

ii) Up to an additional \$750,000, to be considered on January 12, 2010, for program launch.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: December 1, 2009 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

A-32) PLANNING AND DEVELOPMENT

[09-00958](#)

Set hearing to consider recommendations regarding the request of Christopher Jacobs, agent for Bean Blossom LLC, to consider the appeals, Case Numbers 08APL-00000-00040 and 08APL-00000-00041, filed on November 5, 2008, of the Planning Commission’s denial of Preliminary Architectural Approval, Case Number 03BAR-00000-00164, and denial of the Coastal Development Permit for the Bean Blossom Lot X single-family residence, guest house, driveway and other accessory structures, Case Number 02CDP-00000-00023, in compliance with Section 35-182 of the Article II Coastal Zoning Ordinance, on property located in the AG-II-100 and AG-II-320 zones, involving APN 081-210-047, located at 14000 Calle Real in the Gaviota Area, Third District, as follows:

(Set hearing for 12/1/09. Time estimate 1 hour.)

- a) Approve the findings for denial of the project, Case Numbers 03BAR-00000-00164 and 02CDP-00000-00023, specified in the Planning Commission’s action letter dated November 10, 2008;
- b) Deny the appeals, Case Numbers 08APL-00000-00040 and 08APL-00000-00041;
- c) Deny the project, Case Numbers 03BAR-00000-00164 and 02CDP-00000-00023; and
- d) Consider and approve a modified project in lieu of the original project, and refer back to staff for additional review if the Board decides that the applicant’s modified project, including the siting of the project, size of the residence and amount of grading, appear potentially consistent with the applicable provisions of the Comprehensive Plan and Coastal Zoning Ordinance.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: December 1, 2009 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

A-33) PLANNING AND DEVELOPMENT

[09-00960](#)

Set hearing to consider recommendations regarding the Santa Barbara County Telecommunications Program including inquiry on the use of an Urgency Ordinance, moratorium, as follows:

(Set hearing for 12/1/09. Time estimate 45 minutes.)

- a) Receive and file a response to questions raised during the October 20, 2009 Board briefing in the matter of the Santa Barbara County Telecommunications Program and current permit processing; and
- b) Receive and file a report and, if appropriate, direct further action regarding the County Telecommunication Ordinance. Planning and Development staff will address initial assessment for a possible Ordinance Amendment, including potential use of an Urgency Ordinance, moratorium, and identify departmental procedures for policy analysis and use of consultant technical review for current permit applications.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: December 1, 2009 in Santa Barbara (EST. TIME: 45 MIN.)The motion carried by the following vote:**

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

A-34) PLANNING AND DEVELOPMENT

[09-00967](#)

Set hearing to consider recommendations regarding the Malott appeal of the Planning Commission’s July 8, 2009 approval of the Tracy Modification and Addition, Case Nos. 08MOD-00000-00006 and 08CDP-00000-00032, located at 2200 Banner Avenue, APN 005-133-058, in Summerland, First District, as follows:

(Set hearing for 12/1/09. Time estimate 1 hour.)

- a) Deny the appeal, Case Nos. 09APL-00000-00022 and 09APL-00000-00023, thereby upholding the Planning Commission’s approval, as shown in the July 10, 2009 Action Letter;
- b) Adopt the findings for approval of Case Nos. 08MOD-00000-00006 and 08CDP-00000-00032, as shown in Attachment A of the Planning Commission Staff Report dated April 16, 2009;
- c) Accept the Notice of Exemption, pursuant to CEQA Guidelines Sections 15305(a) and 15301(e), as shown in Attachment B of the Planning Commission Staff Report dated April 16, 2009; and
- d) Grant de novo approval of Case Nos. 08MOD-00000-00006 and 08CDP-00000-00032, subject to the conditions of approval, as shown in Attachments C and D of the Planning Commission Action Letter dated July 10, 2009.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: December 1, 2009 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

**Resolutions to be Presented at 9:15 A.M.**

A-35) BOARD OF SUPERVISORS

[09-00973](#)

Adopt a Resolution of Commendation honoring John McInnes, Assistant County Executive Officer and Housing and Community Development Director, for his outstanding efforts and many accomplishments during his years of employment with Santa Barbara County.

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Adopted.**

**RESOLUTION NO. 09-340**

**The motion carried by the following vote:**

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



**Approval of Administrative Agenda**

*HEARING TIME: 9:14 A.M. - 9:46 A.M. (32 MIN.)*

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approve the Administrative Agenda. The motion carried by the following vote:**

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

**09-00001**

Public Comment

*HEARING TIME: 9:47 A.M. - 10:00 A.M. (13 MIN.)*

**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. 03-282) (09-00001)**

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

**RE: County Animal Control Issues - David Diaz Addressed the Board.**

**RE: Closed Session protocol - Katherine Anne Smith Addressed the Board.**

**RE: Racism / County Retirement Issues in Santa Barbara - Dr. Robert L. Johns, Ph.D. Addressed the Board.**

**RE: Measurer H and I / Senior Issues in Santa Barbara County - Nancy Bertelsen Addressed the Board.**

*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. 03-282) (09-00001)*

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

**Departmental Agenda**  
**Planning Items and Public Hearings**

1) PUBLIC HEALTH [09-00901](#)

HEARING - Consider recommendations regarding the Spay-Neuter Task Force Report and Recommendations, as follows: (EST. TIME: 3 HRS.)

- a) Consider recommendations from the Spay-Neuter Task Force and consider the introduction (first reading) of Ordinance amendments to the County Code Chapter 7 and the Animal Services Fee Schedule effective January 1, 2010;
- b) Set hearing for December 1, 2009 to consider the adoption (second reading) of Ordinance amendments to the County Code Chapter 7 and the Animal Services Fee Schedule;
- c) Approve a Notice of Exemption pursuant to California Environmental Quality Act of 1970 (CEQA) Guidelines;
- d) Commend the Task Force members on their work and the completion of their duties; and
- e) Direct staff to return to the Board of Supervisors in 24-36 months with data to report on the effectiveness of any Ordinance approved by the Board, as well as performance measures on licensing levels resulting from the Responsible Pet Ownership Program.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

*HEARING TIME: 10:01 AM - 1:30 PM (3 HRS. 29 MIN.)*

**A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Acted on and set for a hearing, as follows:**

**Received and filed staff presentation and conducted public hearing. Public Hearing closed.**

**a) Read title, waived reading of ordinance in its entirety. Introduction approved; adoption (second reading) set for December 1, 2009. Directed that staff amend the ordinance as reflected in Attachment 8 of Public Health Memorandum dated November 6, 2009:**

**Directed that the ordinance does not apply to owners of dogs and cats residing on parcels that are designated as AG-II and a minimum parcel size of 40 acres; and**

**Removing the requirement that altered cats be licensed.**

**b) Set for December 1, 2009 in Santa Barbara.**

**c) Approved.**

**d) The Board thanked and commended the Task Force members.**

**e) Directed.**

**The motion carried by the following vote:**

**Ayes:** 3 - Supervisor Carbajal, Supervisor Wolf, and Supervisor Farr

**Noes:** 1 - Supervisor Centeno

**Absent:** 1 - Supervisor Gray

2) SUPERVISOR CARBAJAL

[09-00934](#)

HEARING - Consider recommendations regarding winter ocean water quality testing, as follows: (4/5 Vote Required) (EST. TIME: 15 MIN.)

a) Consider funding a winter ocean water quality program from November 2009 through March 2010 with Santa Barbara Channelkeeper, a local environmental organization; and

b) Approve a Budget Revision Request transferring \$15,000 from Tobacco Settlement Advisory Committee (TSAC) (Fund 0046) for an ocean water testing program.

*HEARING TIME: 1:35 PM - 2:05 PM (30 MIN.)*

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

**Received and filed presentation and conducted public hearing.**

**a) Approved.**

**b) Approved. Further directed staff to include funding for the winter ocean water quality program in the recommended FY 2010-11 budget and to provide recommendations at that time for ongoing/future funding of the program.**

**The motion carried by the following vote:**

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

**Absent:** 1 - Supervisor Gray

3) PUBLIC HEALTH

[09-00925](#)

HEARING - Consider recommendations regarding the approval of an Ordinance which establishes the Santa Barbara County Public Health Department (PHD) Community Health Center Board (CHC) and Approve the CHC Membership and By-Laws, as follows: (EST. TIME: 15 MIN.)

- a) Consider the introduction (first reading) of an Ordinance establishing the Santa Barbara County CHC Board;
- b) Set hearing for December 1, 2009 to consider recommendations, as follows:
  - i) Consider the adoption (second reading) of an Ordinance establishing the Santa Barbara County CHC Board;
  - ii) Approve the eight (8) CHC Board Consumer Members recommended by the PHD with the remaining 5 members to be appointed by the Board of Supervisors (one 1 member from each district) by December 11, 2009; and
  - iii) Approve the recommended Santa Barbara County CHC Board By-Laws.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 2:06 PM - 2:10 PM (4 MIN.)*

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Acted on and set for a hearing, as follows:**

**Received and filed staff presentation and conducted public hearing.**

**a) Read title, waived reading Ordinance in it's entirety. Introduction approved; adoption (second reading) set for December 1, 2009.**

**b) i, ii and iii Set for December 1, 2009 in Santa Barbara.**

**The motion carried by the following vote:**

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

**Absent:** 1 - Supervisor Gray

4) AUDITOR-CONTROLLER [09-00917](#)

HEARING - Consider recommendations regarding the Mitigation Fee Act Program, Annual Reports and Five Year Report, as follows: (EST. TIME: 15 MIN.)

- a) Receive and file the Fiscal Year 2008-2009 Combined Annual and Five Year Reports for the Countywide, Orcutt, and Goleta development impact fee programs including the five-year collection schedule; and
- b) Adopt a Resolution Making Findings Required by Government Code 66001(d).

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

*HEARING TIME: 2:11 PM - 2:30 PM (19 MIN.)*

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

- a) **Received and filed.**
- b) **Adopted.**

**RESOLUTION NO. 09-341**

**The motion carried by the following vote:**

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

**Absent:** 1 - Supervisor Gray

5) COUNTY COUNSEL, CARPINTERIA-SUMMERLAND FIRE PROTECTION DISTRICT [09-00927](#)

HEARING - Adopt a Resolution accepting and approving a Development Impact Fee update to the Fire Protection Mitigation Fee of the Carpinteria-Summerland Fire Protection District. (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

*HEARING TIME: 2:31 PM - 2:38 PM (7 MIN.)*

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 09-342**

**The motion carried by the following vote:**

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

**Absent:** 1 - Supervisor Gray

**Adjourned at 2:37 PM**

**The Board of Supervisors adjourned the meeting of November 10, 2009 in honor of Glenn Arden Schuyler of Lompoc and in honor of the 234th anniversary of the founding of the United States Marine Corp.**

**Adjourn to**

**December 1, 2009**

**County Administration Building**

**Board Hearing Room**

**105 East Anapamu Street , Fourth Floor**

**Santa Barbara**

**Challenges**

**Announcements**

*The meeting of Tuesday, November 10, 2009 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, November 12, 2009, at 5:00 PM and on Saturday, November 14, 2009, at 10:00 AM on CSBTV Channel 20.*

*The Board of Supervisors will not meet on Tuesday November 17, 2009 due to the California State Association of Counties (CSAC) Conference and Tuesday November 24, 2009 due to the Thanksgiving Holiday. The next regularly scheduled meeting of the Board of Supervisors will be on Tuesday, December 1, 2009 in Santa Barbara.*

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