

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

Action Summary

Tuesday, May 11, 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.

7:50 A.M. Convened and Recessed to Closed Session**9:00 A.M. Reconvened to Regular Session**

CONVENED 9:15 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[10-00009](#)

Closed Session Agenda

County Counsel reported that, by unanimous vote, the Board took the following actions:

Initiate litigation in the Ellings Park Foundation matter for breach of Coastal Resource Enhancement Funds, grant contracts and associated recorded covenant.

No other reported action was taken.

Details of this announcement may be obtained from the Office of County Counsel.

Approval of Minutes of the May 4, 2010 Meeting

A motion was made by Supervisor Centeno, 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**A-1) SUPERVISOR CENTENO****[10-00405](#)**

Adopt a Resolution proclaiming the month of May 2010 as Military Appreciation Month in Santa Barbara County.

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

RESOLUTION NO. 10-123

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 CARBAJAL****[10-00412](#)**

Adopt a Resolution of Commendation honoring Professor Luis Leal for his lifetime of accomplishments in the field of higher education, and his many years of compassionate, selfless, generous, and dedicated service given to the residents of Santa Barbara County.

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

RESOLUTION NO. 10-124

The motion carried by the following vote:

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

A-3) SUPERVISOR WOLF**[10-00426](#)**

Adopt a Resolution proclaiming the week of May 16, 2010 through May 22, 2010 as National Public Works Week in Santa Barbara County.

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

RESOLUTION NO. 10-125

The motion carried by the following vote:

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

Administrative Items**A-4) COUNTY EXECUTIVE OFFICE, OFFICE OF EMERGENCY SERVICES****[10-00407](#)**

Adopt a Resolution authorizing staff to apply for the Fiscal Year 2010-2011 Emergency Management Performance Grant (EMPG), which provides grant funding for emergency management activities in the Santa Barbara Operational Area by the Office of Emergency Services.

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

RESOLUTION NO. 10-126

The motion carried by the following vote:

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

A-5) GENERAL SERVICES**10-00421**

Consider recommendations regarding the realignment of a sewer pipeline at Ocean View County Park by the Summerland Sanitary District, ORES Folio No. 003488, First District, as follows: (4/5 Vote Required)

- a) Accept the Quitclaim Deed releasing the Summerland Sanitary District's interest in a portion of an easement located at Ocean View County Park (APN 005-690-024) by authorizing the Clerk of the Board to execute the Certificate of Acceptance; and
- b) Approve and authorize the Chair to execute an Easement Deed related to the County conveyance of an easement to the Summerland Sanitary District for the minor realignment of an existing sewer pipeline to improve access for emergency and general maintenance on a portion of Ocean View County Park.

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

- a) Accepted; 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-6) HOUSING AND COMMUNITY DEVELOPMENT**10-00411**

Approve and authorize the Chair to execute the Second Amendment to the Disabled Move-In Program Loan Agreement with the Coalition for Housing Accessibility, Needs, Choices and Equality (CHANCE, Inc.), extending the term of the Loan Agreement from December 31, 2009 to December 31, 2011.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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-7) PLANNING AND DEVELOPMENT[10-00417](#)

Approve and authorize the Chair to execute a Professional Services Contract with the consulting firm of Rincon Consultants (not a local vendor) for preparation of an Environmental Impact Report (EIR) for the Cavaletto Tree Farm Housing project for the period beginning May 12, 2010 and ending on December 31, 2011 in the amount of \$165,140.00, Second District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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-8) PUBLIC HEALTH[10-00423](#)

Approve and authorize the Chair to execute the Second Amendment to the Professional Services Agreement (BC-08-025) with Lawrence J. Bines, M.D., P.C. (a local vendor) to provide obstetrical and gynecological services in the Santa Barbara, Franklin, Carpinteria and Lompoc Public Health Clinics through Fiscal Year 2009-2010 for an amount not to exceed \$946,306.00 and through Fiscal Year 2010-2011 for an amount not to exceed \$995,166.00.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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-9) PUBLIC WORKS[10-00394](#)

Consider recommendations regarding Construction of El Colegio Roadway Improvements (Phase II), Public Works Project No. 864042, Third District, as follows:

- a) Approve the Funding/Cooperative Agreement between the County of Santa Barbara and the University of California, Santa Barbara for funding of El Colegio Phase II (North Side) construction;
- b) Authorize receipt of revenues, within 10 days, from the University of California, Santa Barbara in the amount of \$1,364,036.43 to fund El Colegio Phase II (North Side) to be held in a deferred revenue account for project costs pertaining to El Colegio Phase II (North Side); and
- c) Set hearing for May 25, 2010, on the Administrative Agenda, to consider recommendations, only after receipt of revenues from the University of California, Santa Barbara, as follows:
 - i) Approve plans and specifications for Construction of the El Colegio Roadway Improvements (Phase II), County Project No. 864042;
 - ii) Award the Construction Contract in the amount of \$2,240,765.70 to the lowest responsive bidder, Granite Construction, Inc., (a local vendor with an office in Santa Barbara), P.O. Box 50085, Watsonville, CA 95077, subject to the provisions of documents and certification as set forth in the plans and specifications applicable to the project, and as required by law;
 - iii) 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 County Counsel, Auditor-Controller, Risk Manager or their authorized representatives; and
 - iv) Approve a contingency fund in the amount of \$124,538.29 for Construction of the El Colegio Roadway Improvements (Phase II), County Project No. 864042.

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

- a) Approved;**
- b) Authorized; and**
- c) Set for May 25, 2010 in Santa Maria on the Administrative Agenda.**

The motion carried by the following vote:

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

A-10) PUBLIC WORKS**10-00418**

Consider recommendations regarding the Construction of 2009-2010 Countywide Preventive Maintenance Application of Scrub Seal and Micro-Surfacing, County Project No. 820618, as follows:

a) Approve plans and specifications for Construction of 2009-2010 Countywide Preventive Maintenance Application of Scrub Seal and Micro-Surfacing, County Project No. 820618;

b) Award the Construction Contract in the amount of \$2,242,570.56 to the lowest responsible bidder, Windsor Fuel Company, Inc (not a local vendor), P.O. Box 1029 Pittsburg, CA 94565-1029 subject to the provision of documents and certifications, as set forth in the plans and specifications applicable to the project, as required under California Law;

c) Approve and authorize the Chair to execute the Construction Contract, upon return of the Contractor's executed contract documents, and the review and approval of the County Counsel, Auditor-Controller and Risk Manager or their authorized representatives; and

d) Approve contingency funds in the amount of \$124,628.53 for Construction of 2009-2010 Countywide Preventive Maintenance Application of Scrub Seal and Micro-Surfacing, County Project No. 820618.

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

a) through d) Approved.

The motion carried by the following vote:

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

A-11) PUBLIC WORKS10-00419

Consider recommendations regarding a Memorandum of Understanding with Cal Recycle and Construction of the Palomino Road Embankment Repair Project, County Project No. 862318, First District, as follows:

- a) Approve and authorize the Chair to execute a Memorandum of Understanding (MOU) with Cal Recycle to develop and construct the Palomino Road Embankment Repair Project, County Project No. 862318;
- b) Approve the Project and Categorical Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the Palomino Road Embankment Repair Project; and
- c) Authorize the Director of Public Works to advertise for construction bids for the Palomino Road Embankment Repair Project.

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

- a) Approved; Chair to execute;**
- b) Approved; and**
- c) Authorized.**

The motion carried by the following vote:

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

A-12) PUBLIC WORKS**10-00420**

Consider recommendations regarding the Construction of Road Improvements on Tepusquet Road at Mile Post 5.9, Federal Project No. HRRRL-5951(116), County Project No. 860037, Fifth District, as follows:

- a) Approve plans and specifications for the Construction of Road Improvements on Tepusquet Road at Mile Post (MP) 5.9, County Project No. 860037;
- b) Award the Construction Contract in the amount of \$156,239.20 to the lowest responsive bidder, Souza Construction Inc. (not a local vendor), P.O. Box 3810, San Luis Obispo, CA 93403, subject to the provisions of documents and certification, as set forth in the plans and specifications applicable to the project, and as required by law;
- c) Approve and authorize the Chair to execute the Construction Contract upon return of the Contractor's executed contract documents, and the review and approval of County Counsel, Auditor-Controller, Risk Manager or their authorized representatives; and
- d) Approve a contingency fund in the amount of \$15,623.92 for Construction of Road Improvements on Tepusquet Road at Mile Post (MP) 5.9, County Project No. 860037.

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

a) through d) Approved.

The motion carried by the following vote:

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

A-13) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND
WATER CONSERVATION DISTRICT

[10-00413](#)

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

Consider recommendations regarding the Lower Mission Creek Bypass Culvert Improvement Design Services Agreement, First and Second Districts, as follows:

- a) Approve and authorize the Chair to execute an Agreement with Tetra Tech, Inc. (not a local vendor) for design services for the Lower Mission Creek Bypass Culvert Improvement Project, in the amount of \$135,392.00, for the period of May 11, 2010 through May 31, 2011; and
- b) Authorize a ten percent (10%) contingency fund in the amount of \$13,569.20 with Tetra Tech, Inc. for additional work that may be needed to complete work for the project.

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

a) Approved; Chair to execute; and

b) Authorized.

The motion carried by the following vote:

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

A-14) SHERIFF**10-00406**

Consider recommendations regarding a California Multi-jurisdictional Methamphetamine Enforcement Team (CAL-MMET) Recovery Act grant in the amount of \$100,000.00 for the period of March 1, 2010 through February 28, 2012, as follows: (4/5 Vote Required)

a) Authorize the acceptance of the award of a \$100,000.00 grant from Cal-EMA for the CAL-MMET for period of March 1, 2010 through February 28, 2012; and

b) Approve Budget Revision Request No. 0000872, in the amount of \$30,000.00, for expenditures to be incurred against the grant in Fiscal Year 2009-2010.

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

a) Authorized; and

b) Approved.

The motion carried by the following vote:

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

A-15) TREASURER-TAX COLLECTOR**10-00414**

Receive and file the Fiscal Year 2009-2010 Third Quarter (January 2010 through March 2010) report on the Treasurer's Investment Pool, pursuant to Government Code section 53646(b).

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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-16) SUPERVISOR GRAY****10-00409**

Approve the reappointment of Karen L. Evangelista to the Santa Barbara County Arts Commission, term ending June 30, 2012, Fourth District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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-17) SUPERVISOR GRAY**10-00410**

Approve the reappointment of Brenda M. French to the Santa Barbara County Arts Commission, term ending June 30, 2012, Fourth District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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) SUPERVISOR GRAY**10-00427**

Consider the approval of a request for a waiver of planning and building fees, in the amount of approximately \$2,200.00, for the Star of Bethlehem Lutheran Church for a free standing sign in the Orcutt community area, Fourth District. (4/5 Vote Required)

A motion was made by Supervisor Gray, seconded by Supervisor Carbajal, that this matter be Withdrawn from the agenda. Directed staff to review the policy regarding fee waivers with particular focus on non-profits, churches and other public benefit projects and to return to the Board with a report/recommendations as appropriate. The motion carried by the following vote:

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

Hearing Requests

A-19) COUNTY CLERK-RECORDER-ASSESSOR**[10-00408](#)**

Set hearing to authorize the Clerk-Recorder-Assessor to procure and pay for the implementation and development of new integrated property assessment administration and valuation system from Colorado Customware Inc. (CCI) (not a local vendor) in the amount of \$1,023,800.00, expended over a 22 month installation period, and not requiring General Fund expenditures.

(Set hearing for 5/25/10. Time estimate 30 minutes.)

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

A-20) PLANNING AND DEVELOPMENT**[10-00416](#)**

Set hearing to consider recommendations regarding amendments to the County Land Use and Development Code to streamline permitting for certain agricultural projects, as follows:
(Set hearing for 5/25/10. Time estimate 1 hour.)

- a) Make the required findings for approval of the proposed Ordinance;
- b) Approve Final Negative Declaration No. 09NGD-00000-00007; and
- c) Consider the introduction of an Ordinance (first reading) amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35 (Zoning) of the County Code to streamline the permitting process for certain agricultural projects on lands zoned as agricultural.

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: 60 MIN.). The motion carried by the following vote:

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

A-21) PUBLIC WORKS[10-00422](#)

Set hearing to consider recommendations regarding the Road Maintenance Annual Plan, Fiscal Year 2010-2011, as follows:
(Set hearing for 5/25/10. Time estimate 30 minutes.)

- 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 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.

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

A-22) TREASURER-TAX COLLECTOR10-00424

Set hearing to consider recommendations regarding the Tax and Revenue Anticipation Note Short Term Financing Program for Fiscal Year 2010-2011, as follows:
(Set hearing for 5/18/10. Time estimate 10 minutes.)

a) Adopt a Resolution In The Matter Of Providing For The Borrowing Of Funds For Fiscal Year 2010-2011 And The Issuance And Sale Of County Of Santa Barbara, California, 2010-2011 Tax And Revenue Anticipation Notes;

b) Adopt a Resolution In The Matter Of Affirming That Moneys In Internal Service Funds Are Available Only For Designated Purposes And Are Reasonably Required;

c) Authorize the Treasurer - Tax Collector to execute the Contract of Purchase with De La Rosa and Company for the issuance of non-taxable Tax and Revenue Anticipation Notes in accordance with State and Federal law, in an amount not to exceed \$105,000,000.00, at a yield not to exceed 2.0%, to meet General Fund cash flow requirements during the 2010-2011 fiscal year;

d) Approve and authorize the Chair to execute an Agreement with Orrick, Herrington, and Sutcliffe, LLP to perform legal services as bond counsel incident to the execution and delivery of 2010-2011 Tax and Revenue Anticipation Notes in an amount not to exceed \$20,000.00; and

e) Authorize the Treasurer - Tax Collector to abandon this issuance if market conditions are deemed financially unfavorable.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: May 18, 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

A-23) TREASURER-TAX COLLECTOR[10-00425](#)

Set hearing to consider recommendations regarding the issuance of the Santa Barbara County 2010 Certificates of Participation, as follows:

(Set hearing for 5/18/10. Time estimate 15 minutes.)

- a) Approve and authorize the County Treasurer-Tax Collector to execute a Contract of Purchase for the issuances of the Series A-1 non-taxable and the Series A-2 taxable 2010 Certificates of Participation in accordance with State and Federal law, in an aggregate amount not to exceed \$22 million, at a yield not to exceed 6.5%, and for a term not to exceed 21 years for Series A-1 and at a yield not to exceed 9.0%, and for a term not to exceed 31 years for Series A-2;
- b) Authorize the financing of the following capital improvements:
 - i) Public Defender Courthouse Remodel;
 - ii) Emergency Operations Center Construction; and
 - iii) Betteravia Administration Building and Back-Up Emergency Operations Center Construction;
- c) Approve and authorize the Chair to execute a Contract appointing Orrick, Herrington and Sutcliffe as Bond Counsel, and accept a proposal for Trustee, Registrar, and Paying Agent Services from US Bank Corporate Trust Services;
- d) Direct the County Treasurer-Tax Collector, County Auditor-Controller, County Counsel, and General Services to proceed with all necessary actions required to issue the 2010 Certificates of Participation;
- e) Authorize the Treasurer-Tax Collector to abandon the issuance if market conditions are deemed to have become financially unfavorable;
- f) Adopt a Resolution In the Matter of Authorizing the Execution and Delivery of a Lease, a Sublease, an Assignment Agreement, a Trust Agreement, and a Contract of Purchase; Approving Execution of Certificates of Participation to Finance Certain Capital Improvements; Approving an Official Statement for Said Certificates of Participation; Continuing Disclosure Agreement; and Authorizing Certain Other Actions in Connection with the Lease Financing; and
- g) Approve a budget revision.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: May 18, 2010 in Santa Barbara (EST. TIME: 15 MIN.). The motion carried by the following vote:

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

A-24) SUPERVISOR CENTENO

10-00428

Set hearing to consider recommendations regarding adding Chapter 48 to the County Code known as the Santa Barbara County Social Host Ordinance, as follows:
(Set hearing for 6/1/10. Time estimate 2 hours.)

- a) Consider the introduction (first reading) of an Ordinance entitled, An Ordinance of the Board of Supervisors of the County of Santa Barbara Adding Chapter 48 to Prohibit Underage Drinking; and
- b) Set a hearing for June 15, 2010, on the Administrative Agenda, to consider the adoption (second reading) of the Ordinance entitled, An Ordinance of the Board of Supervisors of the County of Santa Barbara Adding Chapter 48 to the County Code to Prohibit Underage Drinking and direct the Sheriff not to cite anyone for an additional 60 day period to allow for community education.

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

Board of Supervisors

A-25) SUPERVISOR GRAY

10-00450

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.

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

- a) Approved as Amended (Attachment A to Board Letter dated May 7, 2010); Chair to execute,**

Continued hearing to Monday, May 25, 2010 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

Approval of Administrative Agenda

HEARING TIME: 9:15 A.M. - 10:16 A.M. (61 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, to Approve the Administrative Agenda as Amended. The motion carried by the following vote:

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

10-00111

Board Member Reports

HEARING TIME: 10:17 A.M. - 10:18 (1 MIN.)

Re: Fourth District Supervisor Joni Gray was named "Citizen of the Year" by the Santa Maria Elks Lodge - Fifth District Supervisor Joe Centeno Addressed the Board.

10-00001

Public Comment

HEARING TIME: 10:19 A.M. - 10:38 A.M. (19 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. 09-368) (10-00001)

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

RE: Reminder to vote / personal property negotiations - John Thorndike Addressed the Board.

RE: Legal issues against County - Kate Smith aka AEI, the Person Addressed the Board.

RE: Racism - Dr. Robert L. John 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. 09-368) (10-00001)

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

RE: Reminder to vote / personal property negotiations - John Thorndike Addressed the Board.

RE: Legal issues against County - Kate Smith aka AEI, the Person Addressed the Board.

RE: Racism - Dr. Robert L. John Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) **TREASURER-TAX COLLECTOR**

[10-00383](#)

HEARING - Receive and file information regarding tax-exempt and taxable financing options for the 2010 Certificates of Participation. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:40 A.M. - 11:15 A.M. (35 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Received and filed.

Received and filed staff presentation and conducted public hearing.

The motion carried by the following vote:

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

2) **FIRST 5, CHILDREN AND FAMILIES COMMISSION**

[10-00367](#)

HEARING - Receive and file the First 5 Children and Families Commission of Santa Barbara County 2008-2009 Annual Report and the 2010-2015 Strategic Plan. (EST. TIME: 40 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:16 A.M. - 11:55 A.M. (39 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Received and filed.

Received and filed staff presentation and conducted public hearing.

The motion carried by the following vote:

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

3) COUNTY EXECUTIVE OFFICE[10-00388](#)

HEARING - Receive and file a report on the status of the onshore oil facilities inspection program, including the status of the five recommendations concerning new ordinances and staff practices adopted by the Board of Supervisors on January 15, 2008. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 1:10 P.M. - 1:48 P.M. (38 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Received and filed.

Received and filed staff presentation and conducted public hearing.

Directed staff to return to the Board as appropriate regarding issues raised at the hearing, including but not limited, to the following:

1) Potential for a "notes" section to the reports generated by Public Safety/Data for Decision Making software on the County Intranet site;

2) An analysis component;

3) Fines levied, including those levied against multi-violators;

4) Revise threshold of 25 barrels (or more than 3 spills a year) as trigger for multi-violators; and

5) Achieving 100% compliance.

The motion carried by the following vote:

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

4) PUBLIC DEFENDER[10-00404](#)

HEARING - Consider recommendations regarding a contract with outside counsel, as follows: (4/5 Vote Required) (EST. TIME: 30 MIN.)

a) Receive and file reports from the Public Defender's Office, the Civil Grand Jury, and the State Attorney General's office regarding the indigent defense (David Alexander Irwin case) and report on solicitation for legal services to assist with Department's representation;

b) Approve and authorize the Chair to execute the Agreement for legal services; and

c) Approve the budget revision request.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: WITHDRAW

HEARING TIME: 1:50 P.M. - 1:55 P.M. (5 MIN.)

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, that this matter be Continued, as follows: May 25, 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

5) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT

[10-00300](#)

HEARING - Acting as Board of Directors, Laguna County Sanitation District: (EST. TIME: 30 MIN.)

Consider recommendations regarding an Ordinance Adopting Service Charges, Connection Fees, and Trunk Line Fees, and a Resolution Relative to Collection of Service Charges on the Tax Roll; Fourth and Fifth Districts, as follows:

- a) Consider the introduction (first reading) of an Ordinance amending Ordinance No. 3130 to revise service charges, connection fees and other related fees for the Laguna County Sanitation District;
- b) Receive and file with the Clerk of the Board a fixed charge report for Fiscal Year 2010-2011;
- c) Accept the Notice of Exemption pursuant to Section 15273 (a) (1) - (4) of the State Guidelines for Implementation of the California Environmental Quality Act; and
- d) Set hearing for May 25, 2010 to consider the following:
 - i) Consider the adoption (second reading) of an Ordinance amending Ordinance No. 3130 to revise service charges, connection fees and other related fees for the Laguna County Sanitation District;
 - ii) Adopt a Resolution relative to the collection of service charges on the tax rolls; and
 - iii) Approve the Notice of Exemption pursuant to Section 15273 (a) (1) - (4) of the State Guidelines for Implementation of the California Environmental Quality Act.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 2:00 P.M. - 2:50 P.M. (50 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) Read title, waived reading of Ordinance in it's entirety. Introduction approved; adoption (second reading) set for May 25, 2010;

b) Received and filed;

c) Accepted; and

d) i) - iii) Set hearing on the Administrative Agenda for May 25, 2010 in Santa Maria.

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Gray

Noes: 1 - Supervisor Centeno

6) HOUSING AND COMMUNITY DEVELOPMENT[10-00402](#)

HEARING - Consider recommendations regarding the Santa Barbara County HOME Consortium and CDBG Urban County Partnership Draft 2010-2015 Consolidated Plan, as follows: (EST. TIME: 30 MIN.)

a) Receive and file a staff report and update regarding the development and submittal of the Santa Barbara County HOME Consortium and Urban County Partnership draft 2010-2015 Consolidated Plan, a United States Department of Housing and Urban Development (HUD) required five-year strategic planning document describing the priorities, goals and objectives for allocation and expenditure of federal community development entitlement funding over the next five years; and

b) Direct staff to return to the Board on May 25, 2010 on the Administrative Agenda for final consideration of the Santa Barbara County HOME Consortium and Urban County Partnership 2010-2015 Consolidated Plan and related documentation.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 3:01 P.M. - 5:05 PM (2 HRS. 4 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) and b) Continued to Monday, May 17, 2010 in Santa Barbara at 9:00 a.m. (EST. TIME: 3 HRS.)

Directed staff to address all issues raised by the Board at the hearing on May 17, 2010.

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Gray

Absent: 1 - Supervisor Centeno

7) HOUSING AND COMMUNITY DEVELOPMENT

10-00399

HEARING - Consider recommendations regarding the Santa Barbara County HOME Consortium and CDBG Urban County Partnership Draft 2010 Annual Action Plan, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file a presentation and staff report on the Santa Barbara County HOME Consortium and CDBG Urban County Partnership draft 2010 Annual Action Plan and the annual Notice of Funding Availability (NOFA) process, including recommendations for allocation and award of Community Development Block Grant (CDBG), Home Investment Partnerships Act (HOME) and Emergency Shelter Grant (ESG) entitlement funding provided through the United States Department of Housing and Urban Development (HUD); and
- b) Direct staff to finalize the 2010 Annual Action Plan, including the final funding awards under the CDBG, HOME and ESG programs, and return to the Board of Supervisors on May 25, 2010 on the Administrative Agenda for consideration of approval for final submittal to HUD.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 3:01 P.M. - 5:05 PM (2 HRS. 4 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) and b) Continued to Monday, May 17, 2010 in Santa Barbara at 9:00 a.m. (EST. TIME: 3 HRS.)

Directed staff to address all issues raised by the Board at the hearing on May 17, 2010.

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Gray

Absent: 1 - Supervisor Centeno

8) PUBLIC WORKS[10-00251](#)

HEARING - Consider recommendations regarding the appeal of denial of issuing a Certificate of Compliance by the County Surveyor on APN 133-070-035, 09CC100, Foxen Oaks, Fifth District, as follows: (EST. TIME: 1 HR.)

- a) Uphold the decision by the County Surveyor and deny issuing a Certificate of Compliance on APN 133-070-035; or
- b) Direct the County Surveyor to issue a Certificate of Compliance on APN 133-070-035.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 2:20 P.M. - 3:00 P.M. (40 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Upheld decision of County Surveyor to deny issuance of Certificate of Compliance and adopted findings;**
- b) No action taken.**

The motion carried by the following vote:

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

Recused: 1 - Supervisor Gray

Adjourned at 5:05 PM

The Board of Supervisors Closed the Meeting of May 4, 2010 in Memory of Christie Stanley, former District Attorney for Santa Barbara County and Charles E. "Chuck" Oberdeck of Santa Maria

Adjourned to

Monday, May 17, 2010

County Administration Building
Board Hearing Room
105 East Anapamu Street , Fourth Floor
Santa Barbara

Announcements

The meeting of Tuesday, May 11, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, May 13, 2010, at 5:00 PM and on Saturday, May 15, 2010, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>