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, September 28, 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 9:18 A.M.

Roll Call

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

Pledge of Allegiance

Report from Closed Session

1) COUNTY COUNSEL

10-00876

Closed Session Agenda

County Counsel reported that the Board of Supervisors took the following actions:

Announced Ms. Chandra Wallar has been hired as Santa Barbara County Chief Executive Officer, effective November 1, 2010; and

Appointed Jeri Muth as Interim Director of Human Resources.

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

Approval of Minutes of the September 21, 2010 Meeting

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

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 FARR

10-00814

Adopt a Resolution celebrating the 30th anniversary of Arts Outreach in the Santa Ynez Valley.

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

RESOLUTION NO. 10-252

The motion carried by the following vote:

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-2) <u>SUPERVISOR GRAY</u>

10-00809

Adopt a Resolution naming the Orcutt Creek Bike Path as the "Eric Okerblom Bike Path" in honor of Eric Okerblom.

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

RESOLUTION NO. 10-253

The motion carried by the following vote:

Ayes:

A-3) SUPERVISOR CENTENO

10-00857

Adopt a Resolution proclaiming the month of October 2010 as Filipino American History Month in Santa Barbara County.

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

RESOLUTION NO. 10-254

The motion carried by the following vote:

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

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

A-4) SUPERVISOR WOLF, SUPERVISOR FARR

10-00862

Adopt a Resolution of Commendation honoring Gregory Constantine Paraskou, Public Defender, upon his retirement from the County of Santa Barbara after 38 years of committed public service, especially for his 10 years to the Santa Barbara County Public Defender's Office, its clients and his contributions to the County of Santa Barbara.

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

RESOLUTION NO. 10-255

The motion carried by the following vote:

Ayes:

Honorary Resolutions

A-5) <u>SUPERVISOR WOLF</u>

10-00803

Adopt a Resolution of Commendation honoring Sybil Rosen as a recipient of the 2010 Santa Barbara Neighborhood Clinics Health Care Hero Award.

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

RESOLUTION 10-256

The motion carried by the following vote:

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

A-6) SUPERVISOR WOLF

10-00858

Adopt a Resolution of Commendation honoring Dr. Jeffrey L. Kupperman as a recipient of the 2010 Santa Barbara Neighborhood Clinics Health Care Hero Award.

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

RESOLUTION NO. 10-257

The motion carried by the following vote:

A-7) SUPERVISOR GRAY

10-00856

Adopt a Resolution of Commendation recognizing the Old Town Orcutt Revitalization Association (OTORA) for their hard work for Old Town Orcutt.

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

RESOLUTION NO. 10-258

The motion carried by the following vote:

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Administrative Items

A-8) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

10-00864

Consider recommendations regarding 2011 Health Insurance Program Renewals, as follows:

- a) Approve the renewal of the CSAC-EIA Blue Shield EPO High, EPO Low, PPO, and HDHP health plans for a twelve-month term, at the recommended benefit levels and premium increases ranging between 9.1% 11.8%, effective January 1, 2011 for all active employees and retirees;
- b) Approve the renewal of the Kaiser Permanente High and Low HMO health plans, at existing benefit levels, with a premium increase of 10.6%, effective January 1, 2011, for all active employees and retirees for a twelve-month term;
- c) 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, 2011;
- d) Approve the renewal of the existing Golden West Dental HMO plan, and existing benefit levels, at the current premium levels for active employees and retirees for a twelve-month period, effective January 1, 2011;
- e) Approve the renewal of the Vision Service Provider Plan at the recommended benefit levels, with a premium decrease of 15%, effective January 1, 2011, for all active employees and retirees for a twelve-month term;
- f) Approve the renewal of the CareCounsel Healthcare Assistance Program for all covered active employees, at the renewal fee of \$1.95 per month, and covered retirees at the renewal fee of \$3.16 per month, for a twelve-month period effective January 1, 2011;

- g) Approve the renewal of the United Healthcare Secure Horizons Medicare Risk HMO Health Plans for County of Santa Barbara retirees, at existing benefit levels, with a premium increase of 13.5% for a twelve-month period, effective January 1, 2011 and authorize the Assistant CEO/Human Resources Director to execute any necessary documents; and
- h) Direct staff to explore the potential expansion of the Onsite Employee Health Clinics.

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

- a) and b) Approved;
- c) Accepted;
- d) through g) Approved; and
- h) Directed.

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: HUMAN RESOURCES

Ayes:

10-00865

Approve a Budget Revision Request to transfer \$65,000.00 from contingency to the CEO/Human Resources budget for actuarial services needed by the County of Santa Barbara's Retirement Program Alternatives Advisory Commission. (4/5 Vote Required)

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

Staff to return as appropriate with additional information regarding scope of work by actuarial to be performed.

The motion carried by the following vote:

A-10) PARKS 10-00861

Consider recommendations regarding the acceptance of grant funding from the California Department of Boating and Waterways, Third District, as follows: (4/5 Vote Required)

- a) Accept a grant from the California Department of Boating and Waterways in the amount of \$80,000.00 for the purchase of a new Ranger Patrol Boat for Cachuma Lake;
- b) Authorize the Director of the Parks Department to execute a Grant Agreement with the State of California on the terms and conditions described herein; and
- c) Approve a Budget Revision Request for the grant from the California State Department of Boating and Waterways in the amount of \$80,000.00 to Cachuma Recreation Facility Improvements, Project No. 8602.

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

- a) Accepted;
- b) Authorized; and
- c) Approved.

The motion carried by the following vote:

A-11) PARKS 10-00783

Consider recommendations regarding Amendments to Sections 26-37 of Chapter 26 of the County Code, as follows:

- a) Consider the adoption (second reading) of an Ordinance amending Section 26-37 of Chapter 26 of the County Code to clarify the definitions that would allow the use of certain pieces of sporting equipment in County Parks for purposes in line with State Department of Fish and Game Regulations, and serve to improve conditions at County Parks such as Cachuma Lake; and
- b) Upon adoption, approve a Notice of Exemption pursuant to California Environmental Quality Act (CEQA) guidelines, Section 15061(b) (3), finding that the Ordinance is not subject to CEQA because of the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and further find that there is no possibility that the enactment of the Ordinance may have a significant effect on the environment.

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

a) Adopted; and

ORDINANCE NO. 4760

b) Approved.

The motion carried by the following vote:

A-12) PUBLIC HEALTH

10-00863

Consider recommendations regarding a revised Agreement with CenCal and Hospital Entities for an Intergovernmental Transfer of Local Public Funds (provided by the Tobacco Master Settlement Agreement), as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute a revised edition of the Intergovernmental Transfer Agreement regarding the transfer of public funds (provided by the Tobacco Master Settlement Agreement) between the County of Santa Barbara and the State of California Department of Health Care Services (DHCS) for Fiscal Years 2009-2011, extending the termination date of the Agreement to June 30, 2011; and
- b) Approve Budget Revision Request No. BJE 0001111 to release \$908,214.00 of designated funds from the Fiscal Year 2009/2010 Tobacco Settlement allocation to allow for transfer of funds to the California Department of Health Care Services for an Intergovernmental Transfer that will provide retroactive federal matching funds.

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.

The motion carried by the following vote:

A-13) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT

10-00867

Acting as the Board of Directors, Laguna County Sanitation District:

Adopt a Resolution In the Matter of Declaring its Official Intent to Apply for Qualified Energy Conservation Bonds (QECB) and Reimburse Certain Expenditures from Proceeds of Indebtedness, regarding the photovoltaic solar power project at the Laguna County Sanitation District Wastewater Reclamation Plant, Fourth District.

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

RESOLUTION NO. 10-259

The motion carried by the following vote:

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-14) <u>SHERIFF</u> <u>10-00805</u>

Consider the adoption (second reading) of an Ordinance amending County Code section 23B-8(e) of Chapter 23B (Permit Parking Program), changing the annual renewal cycle to a three (3) year renewal cycle.

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

ORDINANCE NO. 4761

The motion carried by the following vote:

A-15) <u>SHERIFF</u> <u>10-00854</u>

Consider recommendations regarding the acceptance of a \$275,000.00 grant for the Marijuana Suppression Program (MSP) for Fiscal Year 2010/2011, as follows: (4/5 Vote Required)

- a) Accept a \$275,000.00 grant from the California Emergency Management Agency (Cal EMA) to fund a Marijuana Suppression Program (MSP) for Fiscal Year 2010/2011;
- b) Approve Budget Revision Request No. 0001133, recognizing the grant revenue and appropriating expenditures in the Sheriff's Office and the District Attorney's Office; and
- c) Adopt a Personnel Resolution, effective September 20, 2010, to add one (1.0 FTE), Sheriff's Deputy /Sheriff's Deputy Special Duty Positions, Class 6905-6906, Range 5972-6072, \$5,254.00- \$6,749.00 monthly, for the duration of the grant, and amend Resolution 08-295, Section 6 Specialized Duties, c. Law Enforcement to increase the maximum number of Sheriff's Deputies authorized to receive special duty pay to 92.

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

- a) Accepted;
- b) Approved; and
- c) Adopted.

RESOLUTION NO. 10-260

The motion carried by the following vote:

A-16) SOCIAL SERVICES

10-00866

Approve and authorize the Chair to execute a County Response Cover Page authorizing the Department of Social Services and the District Attorney to submit the proposed In-Home Supportive Services (IHSS) Fraud Prevention and Program Integrity Plan to the California Department of Social Services (CDSS).

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:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-17) SOCIAL SERVICES

10-00851

Consider recommendations regarding a Contract with the Santa Maria Valley Youth and Family Center, as follows:

- a) Approve and authorize the Chair to execute a Contract with the Santa Maria Valley Youth and Family Center (SMVYFC) in the amount of \$127,000.00, for the period of October 1, 2010 through June 30, 2011, to provide targeted child abuse and neglect prevention services in collaboration with the Guadalupe Family Resource Centers in North County; and
- b) Approve a funding recommendation in the amount of \$62,310.00 (49%) from the Children's Trust Fund. The remaining 51% of the Contract (\$64,690.00) will be provided by Federal funds through the Promoting Safe and Stable Families (PSSF) program.

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) Approved.

The motion carried by the following vote:

Ayes:

A-18) TREASURER-TAX COLLECTOR

10-00769

Consider recommendations regarding an Ordinance delegating investment authority to the Santa Barbara County Treasurer, adopting eligibility criteria for the office of Treasurer-Tax Collector, and adopting continuing education requirements for the office of Treasurer-Tax Collector, as follows:

- a) Consider the adoption (second reading) of an Ordinance adding Sections 2-24.8, 2-24.9, and 2-24.10 to the County Code delegating authority to the County Treasurer-Tax Collector to invest and reinvest funds of the County and other depositors, adopting eligibility criteria for the office of Treasurer-Tax Collector, and adopting continuing education requirements for the office of Treasurer-Tax Collector; and
- b) Approve the Notice of Exemption, pursuant to Section 15060(c)(2) of the California Environmental Quality Act Guidelines (CEQA).

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

a) Adopted.

ORDINANCE NO. 4762

b) Approved.

The motion carried by the following vote:

Board of Supervisors

A-19) SUPERVISOR CARBAJAL, SUPERVISOR GRAY

10-00852

Approve the reappointment of Ward Rafferty to the Santa Barbara County Employees Retirement System, term ending December 31, 2013, First 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:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-20) SUPERVISOR CARBAJAL

10-00859

Approve the reappointment of Jan Winter to the Mental Health Commission as an alternate member, term ending September 1, 2013, First 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:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

A-21) SUPERVISOR CENTENO

10-00855

Approve the reappointment of Robert J. Dickerson to the Housing Authority Board of Commissioners, term ending October 1, 2012, Fifth 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:

Hearing Requests

A-22) COUNTY EXECUTIVE OFFICE

10-00853

Set hearing to consider recommendations regarding an amendment of the Isla Vista Redevelopment Plan to extend by one year the Plan's effectiveness and the time limit to repay indebtedness with the proceeds of property taxes, as follows: (Set hearing for 10/5/2010. Time estimate 15 minutes.)

- a) Consider the introduction (first reading) an Ordinance amending Ordinance Nos. 3894, 4382, 4651, and 4688 and Approving and Adopting a Fourth Amendment to the Redevelopment Plan for the Isla Vista Redevelopment Project Area to extend by one year the Plan's effectiveness and the time limit to repay indebtedness and collect property taxes;
- b) Approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) Section 15378(b)(4) and (5); and
- c) Set a hearing for the Administrative Agenda of October 12, 2010 to consider the adoption (second reading) of an Ordinance amending Ordinance Nos. 3894, 4382, 4651, and 4688 and Approving and Adopting a Fourth Amendment to the Redevelopment Plan for the Isla Vista Redevelopment Project Area to extend by one year the Plan's effectiveness and the time limit to repay indebtedness and collect property taxes.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: October 5, 2010 (EST. TIME: 15 MIN.). The motion carried by the following vote:

A-23) <u>PARKS</u> <u>10-00877</u>

Consider recommendations regarding the acceptance of Loon Point Trail improvements, First District, as follows:

- a) Approve the Plans and Specifications for improvements of the Loon Point Beach Access Trail; and
- b) Accept the improvements to the Loon Point Beach Access Trail as offered to be constructed by the adjacent property owner upon determination that the completed work is in conformance with the approved Plans and Specifications.

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

- a) Approved; and
- b) Accepted.

The motion carried by the following vote:

Approval of Administrative Agenda

HEARING TIME: 9:18 A.M. - 9:53 A.M. (35 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:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Centeno

Board Member Reports

HEARING TIME: 9:54 A.M. - 9:58 A.M. (4 MIN.)

Re: Attended multi-meeting of Special Districts regarding various County government issues including budgets and organizational changes / attendance at Los Alamos Days - Third District Supervisor Doreen Farr Addressed the Board.

Re: Participated in the Summerland Community Business and Land Trust Celebrations - First District Supervisor Salud Carbajal Addressed the Board.

Re: Report on 2010 Coastal Clean-Up Day - Second District Supervisor Janet Wolf Addressed the Board.

Public Comment Period

HEARING TIME: 9:59 A.M. - 10:31 A.M. (32 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: Racism - Dr. Robert L. Johns Addressed the Board.

RE: Santa Barbara MTD - Jerry Estrada Addressed the Board.

RE: 2010 United Way Charitable Giving Campaign - Chairman Scott MGolpin, Director of Public Works, Eddie Taylor and Paul Didier of United Way Addressed the Board.

RE: Request staff bring to the Board of Supervisors an administrative item regarding current County Mobile Home Park issues - Fifth District Supervisor Joe Centeno Addressed the Board.

<u>Departmental Agenda</u> Planning Items and Public Hearings

1) PUBLIC WORKS

10-00819

HEARING - Consider recommendations regarding the Agricultural Worker Transportation Program, Third, Fourth and Fifth Districts, as follows: (EST. TIME: 1 HR.)

- a) Receive and file a progress report from the Public Works Department regarding the County's Agricultural Worker Transportation Program (AWTP);
- b) Receive a presentation from Ron Hughes, Executive Director of Kings County Area Public Transit Agency regarding CalVAN, a State-wide Vanpool Agency;
- c) Approve and authorize the Chair to execute a letter requesting that the SBCAG Board of Directors consider participation in CalVAN as the region's designated ride-share authority;
- d) Direct staff to return to the Board of Supervisors in the spring of 2011 with a report from Caltrans on procedures for concluding the AWTP in an orderly manner, including directions on how to surplus or transfer assets and vans by June 30, 2011; and
- e) Approve and authorize the Chair to execute Amendment No. 2 to the Contract with the Santa Maria Organization of Transportation Helpers (SMOOTH), extending the contract term to June 30, 2011.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:35 A.M. - 11:25 A.M. (50 MIN.)

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

Conducted public hearing.

- a) Received and filed staff presentation;
- b) Received and filed presentation from State-wide Vanpool Agency;
- c) No action taken.
- d) Directed; and
- e) Approved; Chair to execute.

Board suggested that SBCAG receive a presentation by CalVan to consider participation in a County designated ride-share program.

The motion carried by the following vote:

2) PUBLIC WORKS

10-00845

HEARING - Consider recommendations regarding the County's exclusive Franchise Agreements for solid waste collection, Second, Third, Fourth, and Fifth Districts, as follows: (EST. TIME: 45 MIN.)

- a) Approve the distribution of the Request for Proposals (RFP) for solid waste collection in service zones 2, 4, and 5 to the three existing service providers (Allied, MarBorg, and Waste Management) including the proposed Franchise Agreement; and
- b) Direct staff to return to the Board of Supervisors with Franchise Agreement award recommendations for service zones 2, 4, and 5 after a thorough evaluation of responses to the RFP.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 11:30 A.M. - 12:30 P.M. (1 HR.)

Received and filed staff presentation and conducted public hearing.

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

- a) Approved; and
- b) Directed.

The motion carried by the following vote:

Adjourned at 2:00 PM

The Board of Supervisors Closed the Meeting of September 28, 2010 in Memory of Siebo Onnen of Lompoc.

Adjourned to

October 5, 2010

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

Announcements

The meeting of Tuesday, September 28, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, September 30, 2010, at 5:00 PM and on Saturday, October 2, 2010, at 10:00 AM on CSBTV Channel 20.

http://www.countyofsb.org