

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, October 5, 2010

9:00 AM

**COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 EAST ANAPAMU STREET, SANTA BARBARA**

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, Redevelopment Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: www.countyofsb.org.

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

CONVENED: 9:05 PM

Roll Call

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

Pledge of Allegiance**Report from Closed Session**COUNTY COUNSEL[10-00890](#)

Closed Session Agenda

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

Approved settlement in Nordyke v. County of Santa Barbara, WCAB No. ADJ4573973, in the amount of \$108,530.

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

Approval of Minutes of the September 28, 2010 Meeting

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, 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 WOLF****[10-00872](#)**

Adopt a Resolution proclaiming October 15, 2010 as World Spirometry Day in Santa Barbara County.

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

RESOLUTION NO. 10-261

The motion carried by the following vote:

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

A-2) SUPERVISOR WOLF**[10-00874](#)**

Adopt a Resolution proclaiming the week of October 3, 2010 through October 9, 2010 as National Fire Prevention Week in Santa Barbara County.

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

RESOLUTION NO. 10-262

The motion carried by the following vote:

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

A-3) SUPERVISOR FARR**[10-00875](#)**

Adopt a Resolution of Commendation honoring PathPoint upon the 30th anniversary of its Mental Health Division.

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

RESOLUTION NO. 10-263

The motion carried by the following vote:

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

A-4) SUPERVISOR CENTENO**[10-00868](#)**

Adopt a Resolution proclaiming the week of October 3, 2010 through October 9, 2010 as National 4-H Week in Santa Barbara County.

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

RESOLUTION 10-264

The motion carried by the following vote:

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

Honorary Resolutions**A-5) SUPERVISOR CARBAJAL****[10-00869](#)**

Adopt a Resolution of Commendation honoring the 2010 Santa Barbara Foundation Man of the Year.

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

RESOLUTION NO. 10-265

The motion carried by the following vote:

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

A-6) SUPERVISOR CARBAJAL**[10-00871](#)**

Adopt a Resolution of Commendation honoring the 2010 Santa Barbara Foundation Woman of the Year.

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

RESOLUTION NO. 10-266

The motion carried by the following vote:

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

A-7) SUPERVISOR CARBAJAL**[10-00870](#)**

Adopt a Resolution proclaiming the week of October 4, 2010 through October 15, 2010 as Binational Health Week in Santa Barbara County.

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

RESOLUTION NO. 10-267

The motion carried by the following vote:

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

A-8) SUPERVISOR CARBAJAL**[10-00880](#)**

Adopt a Resolution of Commendation honoring Peoples' Self-Help Housing upon their 40th anniversary of service to the County of Santa Barbara.

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

RESOLUTION NO. 10-268

The motion carried by the following vote:

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

A-9) SUPERVISOR CARBAJAL**[10-00881](#)**

Adopt a Resolution of Commendation honoring the Santa Barbara Community Housing Corporation upon their 35th anniversary of service to the County of Santa Barbara.

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

RESOLUTION NO. 10-269

The motion carried by the following vote:

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

Administrative Items**A-10) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES****[10-00886](#)**

Approve and authorize the Chair to execute an Employment Contract with Chandra Wallar for services as County Executive Officer for a term beginning November 1, 2010 and ending October 31, 2013.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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-11) GENERAL SERVICES**[10-00883](#)**

Consider recommendations regarding Amendment No. 2 to the Construction Contract and Notice of Completion for the Santa Barbara Court Complex Seismic Retrofit, Project No. 8554, 1100 Anacapa Street, Santa Barbara, First District, as follows:

a) Approve and authorize the Chair to execute Amendment No. 2 to the Construction Contract with Western Group, Inc. (not a local vendor) for the Santa Barbara Court Complex Seismic in the amount of \$21,304.00; and

b) Accept the Notice of Completion for the Santa Barbara Court Complex Seismic performed by Western Group, Inc.

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

a) Approved; Chair to execute; and

b) Accepted.

The motion carried by the following vote:

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

A-12) GENERAL SERVICES**[10-00882](#)**

Accept a non-cash donation of materials and supplies in the form of wrought-iron gates, with a value exceeding \$10,000.00, from the Pierre Claeysens Veterans' Museum and Library, a non-profit organization, for the Santa Barbara Veterans' Memorial Building, located at 112 West Cabrillo Boulevard in Santa Barbara, ORES No. 003261, Second District.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, that this matter be Accepted. The motion carried by the following vote:

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

A-13) GENERAL SERVICES**10-00884**

Consider recommendations regarding Amendment No. 1 to the Construction Contract and Notice of Completion for the Lompoc Veterans Memorial Building, Roof Replacement, Project No.8584, 100 E. Locust Ave., Lompoc, CA, Fourth District, as follows:

a) Approve and authorize Chair to execute Amendment No. 1 to the Construction Contract with Derrick's Roofing, Inc. (a local vendor) for the Lompoc Veterans Memorial Building Roof Replacement in the amount of \$18,447.00; and

b) Accept the Notice of Completion for the Lompoc Veterans Memorial Building Roof Replacement performed by Derrick's Roofing.

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

a) Approved; Chair to execute; and

b) Accepted.

The motion carried by the following vote:

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

A-14) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT**10-00879**

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

Authorize the Public Works Director or designee to execute the Cooperative Agreement for Construction of Improvements on San Jose Creek with the City of Goleta for an amount not to exceed \$5,000,000.00, Second District.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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

Board of Supervisors**A-15) SUPERVISOR WOLF****[10-00873](#)**

Approve the reappointment of Gail Teton-Landis to the Commission for Women, term ending October 10, 2013, Second District.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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

Hearing Requests**A-16) COUNTY EXECUTIVE OFFICE, OFFICE OF EMERGENCY SERVICES, PUBLIC HEALTH****[10-00475](#)**

Set hearing to receive and file a staff report on homeless warming center activities and protocols for the Santa Barbara County Operational Area 2010/2011 winter season. (Set hearing for 10/19/10. Time estimate 20 minutes.)

A motion was made by Supervisor Farr, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: October 19, 2010 in Santa Barbara (EST. TIME: 20 MIN.). The motion carried by the following vote:

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

A-17) TREASURER-TAX COLLECTOR**10-00878**

Set hearing to consider recommendations regarding California Enterprise Development Authority Tax-Exempt Financing on behalf of Laguna Blanca School, Marymount of Santa Barbara, Inc., and Santa Barbara Student Housing, as follows:

(Set hearing for 10/26/10. Time estimate 15 minutes.)

a) Adopt a Resolution approving associate membership by the County of Santa Barbara in the California Enterprise Development Authority and authorizing and directing the execution of an Associate Membership Agreement;

b) Adopt a Resolution approving the issuance of California Enterprise Development Authority of its Revenue Obligations for the benefit of Laguna Blanca School, a California nonprofit public benefit corporation, in an amount not to exceed \$5,000,000.00;

c) Adopt a Resolution approving the issuance of California Enterprise Development Authority of its Revenue Obligations for the benefit of Marymount of Santa Barbara, Inc., a California nonprofit public benefit corporation, in an amount not to exceed \$2,050,000.00; and

d) Adopt a Resolution approving the issuance of California Enterprise Development Authority of its Revenue Obligations for the benefit of Santa Barbara Student Housing, a California nonprofit public benefit corporation, in an amount not to exceed \$3,400,000.00.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: October 26, 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

Administrative Items**A-18) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES****10-00865**

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

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

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

Noes: 1 - Supervisor Wolf

Hearing Requests**A-19) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES****[10-00887](#)**

Set hearing to receive and file a presentation regarding the Fiscal Year 2009/2010 Commission for Women Annual Report.
(Set hearing for 10/12/10. Time estimate 20 minutes.)

A motion was made by Supervisor Farr, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: October 12, 2010 in Santa Maria (EST. TIME: 20). The motion carried by the following vote:

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

A-20) COUNTY EXECUTIVE OFFICE**[10-00900](#)**

Set hearing to consider the affirmation of the Legislative Program Committee positions taken on the November 2010 Statewide Ballot Propositions and direct further action as the Board of Supervisors deems necessary.
(Set hearing for 10/12/10. Time estimate 20 minutes.)

A motion was made by Supervisor Farr, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: October 12, 2010 in Santa Maria (EST. TIME: 20 MIN.). The motion carried by the following vote:

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

Administrative Items**A-21) COUNTY EXECUTIVE OFFICE****[10-00901](#)**

Direct staff to communicate the Board of Supervisors' position on the Fiscal Year 2010/2011 State budget impasse to the Governor and Santa Barbara County's state legislative delegation.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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

Approval of Administrative Agenda

HEARING TIME: 9:08 A.M. - 10:08 A.M. (1 HR.)

A motion was made by Supervisor Farr, seconded by Supervisor Gray, 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

Board Member Reports

HEARING TIME: 10:10 A.M. - 10:25 A.M. (15 MIN.)

Re: Attended the Farm Bureau Annual Event along with Fourth District Supervisor Joni Gray - Third District Supervisor Doreen Farr Addressed the Board.

Re: Attended the Old Town Orcutt Revitalization Association's (OTORA) Banquet/ report from the Board of Retirement where the Experience Study was discussed/ Board directed staff to return with an item on the Departmental Agenda of October 19, 2010, informing the Board of the findings from the Santa Barbara County Employees' Retirement System's (SBCERS) Experience Study - Fourth District Supervisor Joni Gray Addressed the Board.

Re: Attended the California Avocado Festival in Carpinteria/ attended the Pacific Pride Annual AIDS Walk/ attended the Santa Barbara Neighborhood Clinics' Awards along with Second District Supervisor Janet Wolf - First District Supervisor Salud Carbajal Addressed the Board.

Public Comment Period

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (10-00001)

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

HEARING TIME: 10:45 A.M. - 10:55 A.M. (10 MIN.)

RE: Historic Land Commission / California Hwy 33 safety issues / Fifth District road conditions - Gene Zannon Addressed the Board.

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

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE

[10-00853](#)

HEARING - 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: (EST. TIME: 15 MIN.)

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.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:58 A.M. - 11:00 A.M. (2 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Read title, waived reading of Ordinance in its entirety. Introduction approved; adoption (second reading) set for October 12, 2010;

b) Approved; and

c) Set hearing on the Administrative Agenda for October 12, 2010 in Santa Maria.

The motion carried by the following vote:

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

2) COUNTY EXECUTIVE OFFICE[10-00885](#)

Set hearing to consider recommendations regarding the Public Convenience or Necessity Finding, Alcohol Beverage Control Type 42 License at 3553 Sagunto Street, Suite A, Santa Ynez, Third District, as follows:

(Set hearing for 10/12/10. Time estimate 30 minutes.)

a) Consider the Public Convenience or Necessity Finding a Type 42 on-sale beer and wine public premises license at 3553 Sagunto Street, Suite A, Santa Ynez; and

b) Direct staff to communicate the Board of Supervisors' action to the Alcohol Beverage Control Board.

HEARING TIME: 10:56 A.M. - 10:57 A.M. (1 MIN.)

A motion was made by Supervisor Farr, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: October 12, 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

3) PLANNING AND DEVELOPMENT10-00833

HEARING - Consider recommendations regarding the renewal, amendment and extension of the Montecito Growth Management Ordinance, Chapter 35B of the County Code, involving Case No. 09ORD-00000-00014, proposing to amend the existing Montecito Growth Management Ordinance (MGMO) and extend the program to December 31, 2030, and to certify that the MGMO Supplemental EIR has been completed in compliance with the California Environmental Quality Act (CEQA), First District, as follows: (EST. TIME: 1 HR.)

a) Adopt the required findings including project findings, CEQA findings, and a Statement of Overriding Considerations for the project, including finding that the project and its environmental review has been completed in compliance with CEQA;

b) Certify that the Final Supplemental Environmental Impact Report, 10EIR-00000-00003, including the September 1, 2010 Revision Letter, has been completed in compliance with CEQA as revisions to 92-EIR-03;

c) Adopt an Ordinance, Case No. 09ORD-00000-00014, amending the text and extending the life of the Montecito Growth Management Ordinance (MGMO) to December 31, 2030; and

d) Adopt a Resolution forwarding the MGMO renewal, amendments, and extension, Case No. 09ORD-00000-00014, to the California Coastal Commission as an amendment to the Local Coastal Program for the portion of the affected area in the Coastal Zone.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 11:02 A.M. - 12:02 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) Adopted;

b) Certified;

c) Adopted; and

ORDINANCE NO. 4763

d) Adopted.

RESOLUTION NO. 10-270

The motion carried by the following vote:

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

Adjourned at 12:40 PM

The Board of Supervisors closed the meeting of October 5, 2010 in memory of Owen Rice of the Santa Maria Valley.

Adjourned to

October 12, 2010

Betteravia Government Center

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

Announcements

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

<http://www.countyofsb.org>