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 12, 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.

9:00 A.M. Convened to Regular Session

CONVENED 9:02 A.M.

Roll Call

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

Pledge of Allegiance

Approval of Minutes of the October 5, 2010 Meeting

A motion was made by Supervisor Farr, seconded by Supervisor Centeno, 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 at 11:00 A.M.

A-1) BOARD OF SUPERVISORS

10-00898

Adopt a Resolution of Commendation honoring Carmen Escalante, Sunshine Kahn, Maria Guerrero, Adrienne Villamor, Francisca Vasquez, Pauline Wong, Helen Quintana and Sonya Haifi, support staff with the office of the Public Defender in Santa Maria, as the October 2010 Santa Barbara County Employees of the Month.

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

RESOLUTION NO. 10-271

The motion carried by the following vote:

Ayes:

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

Honorary Resolutions

A-2) SUPERVISOR CENTENO

10-00889

Adopt a Resolution of Commendation recognizing Altrusa International, Inc. of Santa Maria upon their 50th anniversary of service to the citizens of northern Santa Barbara County.

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

RESOLUTION NO. 10-272

The motion carried by the following vote:

Ayes:

Administrative Items

A-3) COUNTY EXECUTIVE OFFICE

10-00853

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:

- a) 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; and
- b) Approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) Section 15378(b)(4) and (5).

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

a) Adopted; and

ORDINANCE NO. 4764

b) Approved.

The motion carried by the following vote:

Ayes:

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

A-4) FIRE 10-00899

Authorize the County Purchasing Manager to procure one (1) Type 1 3000 gallon Water Tender, in an amount not to exceed \$350,000.00, from Pierce Manufacturing, Inc. (not a local vendor), without being required to conduct a formal bid process.

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

A-5) GENERAL SERVICES

10-00893

Approve and authorize the Chair to execute the Fourth Amendment to the License and Service Agreement between New Beginnings Counseling Center and the County of Santa Barbara to increase and expand the Safe Parking Program by an additional 5 parking spaces, for a total of 10 parking spaces, in the designated parking spaces in the Social Services south parking lot at the Calle Real Campus in Santa Barbara, ORES No. 003506, Second District.

A motion was made by Supervisor Gray, 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-6) GENERAL SERVICES

10-00894

Consider recommendations regarding the Engineering Building Elevator Modernization Project, Project No. F01004, First District, as follows:

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Contract with Republic Elevator Company (a local vendor) for an increase of \$1,556.25, for a total Contract amount of \$145,766.25; and
- b) Accept the Notice of Completion for the Engineering Building Elevator Modernization Project.

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

- a) Approved; Chair to execute; and
- b) Accepted.

The motion carried by the following vote:

Ayes:

A-7) PLANNING AND DEVELOPMENT

10-00892

Approve and authorize the Chair to execute a Coastal Resource Enhancement Fund (CREF) Grant Contract, BC-11-048, with the Santa Maria Natural History Museum, for the period of October 12, 2010 through March 20, 2016, in the amount of \$12,309.00, to purchase and install a shore bird exhibit at its Natural History Museum, located at 412 S. McClelland Avenue in Santa Maria, Fifth District.

A motion was made by Supervisor Gray, 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-8) PROBATION

10-00902

Consider recommendations regarding California Emergency Management Agency (Cal EMA) Probation Specialized Supervision Grant Acceptance, as follows: (4/5 Vote Required)

- a) Authorize the Chief Probation Officer to enter into a Grant Award Agreement, and accept grant funding on behalf of the County of Santa Barbara for the Probation Specialized Supervision Program (PSSP) from the California Emergency Management Agency (Cal EMA), for the period of October 1, 2010 through September 30, 2011, in the amount of \$100,000.00; and
- b) Approve a Budget Revision Request recognizing the unanticipated revenue.

A motion was made by Supervisor Gray, 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:

A-9) PUBLIC WORKS

10-00903

Consider recommendations regarding the construction of road improvements on Tepusquet Road at Mile Post 5.9, Santa Barbara County Project No. 860037, Federal Project No. HRRL-5951 (116), Fifth District, as follows:

- a) Accept a Notice of Completion for work performed by the contractor, Souza Construction, Inc. (not a local vendor), located at 4027 Santa Fe Road, San Luis Obispo; and
- b) Approve the Statement of Final Quantities for work performed and materials supplied for this project by Souza Construction, Inc., in the amount of \$147,728.36.

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

- a) Accepted; and
- b) Approved.

The motion carried by the following vote:

A-10) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY

10-00888

Acting as the Board of Directors, Water Agency:

Consider recommendations regarding the 2010/2011 Cloud Seeding Program, as follows:

- a) Approve the Planning and Development Department's finding that California Environmental Quality Act (CEQA) Section 15164 is applicable to 00-ND-29, and that this document is adequate to meet the requirements of CEQA for the Santa Barbara County-Twitchell Reservoir Cloud Seeding Program;
- b) Approve the 2010/2011 Cloud Seeding Program; and
- c) Approve and authorize the Chair to execute an Agreement with North American Weather Consultants Inc. (not a local vendor) for cloud seeding for the period of October 13, 2010 through June 30, 2011 unless terminated earlier, in an amount not to exceed \$310,865.00.

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

a) through c) Approved.

The motion carried by the following vote:

A-11) <u>SHERIFF</u> <u>10-00895</u>

Consider recommendations regarding the acceptance of a \$139,000.00 grant for the AVOID the 12 DUI Campaign, for the period of October 1, 2010 through September 30, 2011, as follows: (4/5 Vote Required)

- a) Accept a \$139,000.00 grant from the State of California Office of Traffic Safety for the AVOID the 12 DUI Campaign, for the period from October 1, 2010 through September 30, 2011; and
- b) Approve Budget Revision Request No. 0001172 recognizing \$139,000.00 of grant revenue, and appropriate the amount for expenditures in the Sheriff's Department.

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

- a) Accepted; and
- b) Approved.

The motion carried by the following vote:

A-12) <u>SHERIFF</u> <u>10-00896</u>

Consider recommendations regarding an extension of the Contract with Pac West Helicopters for a UH-1H Rescue Helicopter, as follows: (4/5 Vote Required)

- a) Approve an extension of the Contract with Pac West Helicopters (not a local vendor) to complete build-up and make operational a rescue-capable helicopter, for the period of June 30, 2010 through November 30, 2010; and
- b) Approve Budget Revision Request No. 0001176, releasing \$26,847.00 in designations and appropriating expense in line item 8700, Capital Assets.

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

a) and b) Approved.

The motion carried by the following vote:

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

A-13) <u>SHERIFF</u> <u>10-00897</u>

Approve the retirement and transfer of ownership of Sheriff's canine, 'Xalvo', to Deputy Al Lafferty for the sum of \$1.00. (4/5 Vote Required)

A motion was made by Supervisor Gray, 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

Board of Supervisors

A-14) SUPERVISOR CARBAJAL

10-00904

Approve the appointment of J'Amy Brown to the Historic Landmarks Advisory Committee, term ending January 1, 2013, First District.

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

A-15) SUPERVISOR CARBAJAL

10-00906

Approve the appointment of Armando Rivera to the Advisory Board on Alcohol and Drug Problems, term ending September 1, 2011, First District.

A motion was made by Supervisor Gray, 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-16) SUPERVISOR CARBAJAL

10-00907

Approve the appointment of Tina Fanucchi to the Commission for Women, term ending July 30, 2012, First District.

A motion was made by Supervisor Gray, 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-17) SUPERVISOR CENTENO

10-00908

Approve and authorize the Chair to execute letters of support to Congresswoman Capps and Congressman Gallegly regarding the Santa Maria Valley Water Conservation District's proposed emergency Twitchell Reservoir downstream sediment cleanout in order to restore functional ability of the reservoir to release water, Fifth District.

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

Ayes:

Hearing Requests

A-18) COUNTY EXECUTIVE OFFICE

10-00910

Set hearing to receive and file the 2010 Fiscal Issues Report and receive a presentation on the economic context and impending financial challenges and potential financial issues faced by the County of Santa Barbara in Fiscal Year 2010/2011 and in the immediate horizon. (Set hearing for 10/26/10. Time estimate 1 hour.)

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: October 26, 2010 in Santa Maria (EST. TIME: 1 HR.). The motion carried by the following vote:

Ayes:

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

A-19) COUNTY EXECUTIVE OFFICE

10-00911

Set hearing to receive information from the Santa Barbara County Employees' Retirement System (SBCERS) with respect to the preliminary findings from its triennial experience studies.

(Set hearing for 10/19/10. Time estimate 2 hours.)

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: October 19, 2010 in Santa Barbara (EST. TIME: 2 HR.). The motion carried by the following vote:

Ayes:

A-20) COUNTY EXECUTIVE OFFICE

10-00912

Set hearing to receive and file an update on the progress achieved to date in implementing recommendations of the Santa Barbara County Blue Ribbon Budget Task Force of 2005-2006.

(Set hearing for 10/26/10. Time estimate 30 minutes.)

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: October 26, 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-21) PUBLIC WORKS

10-00891

Set hearing to consider recommendations regarding Ordinances amending Chapter 15A of the Santa Barbara County Code relating to Flood Plain Management and Chapter 15B of the Santa Barbara County Code relating to Development along Watercourses, as follows: (Set hearing for 11/9/10. Time estimate 10 minutes.)

- a) Consider the introduction (first reading) of an Ordinance amending Chapter 15A of the Santa Barbara County Code relating to Flood Plain Management;
- b) Consider the introduction (first reading) of an Ordinance amending Chapter 15B of the Santa Barbara County Code relating to Development along Watercourses; and
- c) Set a hearing on the Administrative Agenda of December 7, 2010 to consider the following recommendations:
- i) Consider the adoption (second reading) of an Ordinance amending Chapter 15A of the Santa Barbara County Code relating to Flood Plain Management;
- ii) Consider the adoption (second reading) of an Ordinance amending Chapter 15B of the Santa Barbara County Code relating to Development along Watercourses; and
- iii) Approve a CEQA Notice of Exemption to adopt Amendments to Ordinances of the Santa Barbara County Code relating to Flood Plain Management and Development along Water Courses.

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: November 9, 2010 in Santa Maria (EST. TIME: 10 MIN.). The motion carried by the following vote:

Ayes:

A-22) SUPERVISOR CARBAJAL

10-00909

Set hearing to receive and file the 2009 Community Indicators Report by Santa Barbara Fighting Back.

(Set hearing for 10/19/10. Time estimate 30 minutes.)

A motion was made by Supervisor Gray, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: October 19, 2010 in Santa Barbara (EST. TIME: 30 MIN.). The motion carried by the following vote:

Ayes:

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

Administrative Items

A-23 COUNTY COUNSEL

10-00924

Approve and authorize the Chair to execute an Agreement for Professional Legal Services between the County of Santa Barbara and Herb Fox, Esq. (a local vendor) for outside counsel services, beginning October 12, 2010, until completion, in an amount not to exceed \$10,000.00. (4/5 Vote Required)

A motion was made by Supervisor Gray, 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

Approval of Administrative Agenda

HEARING TIME: 9:04 A.M. - 9:12 A.M. (8 MIN..)

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

Ayes:

Board Member Reports

HEARING TIME: 9:13 A.M. - 9:28 A.M. (15 MIN.)

Re: Meeting with State Senator Sam Blakesly to Discuss issues of Importance to the County Including Indian Gaming and IHSS Funding - Fifth District Supervisor Joe Centeno Addressed the Board.

Re Attendance at CAL LAFCO Conference - Third District Supervisor Doreen Farr Addressed the Board.

Re: Attendance at CSAC Planning Meeting that included discussion of Special Election Reimbursement to the County as well as Circle of Service Award to be Presented to County Executive Officer Michael F. Brown at the CSAC Annual Conference - Fourth District Supervisor Joni Gray Addressed the Board.

Re: Attendance at Heal The Ocean Annual Event. Meeting with Mental Health Advocates and Request for Board Discussion Regarding "Laura's Law" - First District Supervisor Salud Carbajal Addressed the Board.

Re: Attendance at Grand Jury's Open House and National Disability Awareness Event. Meeting with Coast Guard Representatives and EOC Staff Including Discussion Related to Gulf Spill and Local Preparedness -Second District Supervisor Janet Wolf 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: 9:29 A.M. - 9:32 A.M. (3 MIN.)

RE: Coastal Resource Enhancement Funding / Clood Seeding Program Issues - Dr. Robert L. Johns Addressed the Board.

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

1) <u>COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES</u>

10-00887

HEARING - Receive and file a presentation regarding the Fiscal Year 2009/2010 Commission for Women Annual Report. (EST. TIME: 20 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 9:38 AM - 10:10 AM (32 MIN.)

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

Ayes:

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

2) <u>COUNTY EXECUTIVE OFFICE</u>

10-00900

HEARING - 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. (EST. TIME: 20 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:20 AM - 10:50 AM (30 MIN.)

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

That this matter be withdrawn from the agenda and that the record reflect that on August 3, 2010 the Board adopted Resolution No. 10-210 supporting the Legislative Program Committee recommendation to oppose Proposition 23 by the following vote:

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

Noes: 1 - Supervisor Gray

Abstentions: 1 - Supervisor Centeno

The motion carried by the following vote:

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

Centeno

Noes: 1 - Supervisor Wolf

3) COUNTY EXECUTIVE OFFICE

10-00885

HEARING - 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: (EST. TIME: 30 MIN.)

- 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.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:51 AM - 11:20 AM (29 MIN.)

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

- a) The Board of Supervisors found that a Public Convenience or Necessity would be served by a Type 42 on-sale beer and wine public premises license at 3553 Sagunto St. A, Santa Ynez and approved the application; and
- b) Directed.

The motion carried by the following vote:

Adjourned at 11:25 AM

The Board of Supervisors Wished a Speedy Recovery to Deputy Clerk of the Board Lisa

Carlson

The Board of Supervisors Adjourned the Meeting in Memory of Senior Airman Daniel

J. Johnson of Santa Maria Who Was Killed In The Line of Duty on October 5, 2010 in

Afghanistan

Adjourned to

October 19, 2010

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

Challenges

Announcements

The meeting of Tuesday, October 12, 2010 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, October 14, 2010, at 5:00 PM and on Saturday, October 16, 2010, at 10:00 AM on CSBTV Channel 20.

http://www.countyofsb.org