ACTION SUMMARY

February 24, 2009

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

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CONVENED AT 9:10 A.M.

Roll Call

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

Pledge of Allegiance

Report from Closed Session

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COUNTY COUNSEL File Reference No. 09-00173

Closed Session Agenda

No reportable action taken.

Approval of Minutes of the February 17, 2009 Meeting

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A motion was made by Supervisor Gray, seconded by Supervisor Wolf, to Approve the Minutes. The motion carried unanimously.

Administrative Agenda

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

A-1) SUPERVISOR GRAY File Reference No. 09-00159

Adopt a Resolution of Commendation recognizing Jeff Johnson of Jack's All-American Plumbing in Santa Maria for winning First-Runner Up in Plumbing & Mechanical Magazine's Best Looking Truck Inside Contest for 2008.

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

RESOLUTION NO. 09-031

The motion carried unanimously.

Administrative Items

A-2) COUNTY COUNSEL File Reference No. 09-00156

Approve the proposed amendments to the Conflicts of Interest Code of the Santa Barbara County Air Pollution Control District.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.

A-3) COUNTY COUNSEL File Reference No. 09-00157

Approve the proposed amendments to the Conflicts of Interest Code of the Mosquito and Vector Management District of Santa Barbara County.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.

A-4) COUNTY COUNSEL File Reference No. 09-00158

Approve the proposed amendments to the Conflicts of Interest Code of the Santa Barbara Metropolitan Transit District.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.

A-5) COUNTY COUNSEL File Reference No. 09-00164

Consider recommendations regarding 2009 Amendments to the Santa Barbara County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts (Single Code), as follows:

a) Adopt by Resolution the 2009 Amendments to the Santa Barbara County Single Comprehensive Conflict of Interest Code for County Departments, Commissions/Boards/Committees and Dependent Special Districts. The 2009 Amendments:

i) Update the positions that are required to report and/or the disclosure categories for the public officials associated with the various County Agencies that are currently included in the Single Code, and renumber the exhibit references for the Board of Architectural Review; and

ii) Add the South Coast Homeless Advisory Committee to the Single Code.

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

a) Approved and adopted.

RESOLUTION NO. 09-032

The motion carried unanimously.

A-6) COUNTY COUNSEL File Reference No. 09-00165

Approve the proposed amendments to the Conflicts of Interest Code of the Solvang Elementary School District.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.

A-7) COUNTY EXECUTIVE OFFICE File Reference No. 09-00169

Approve an Application for Destruction of Records of the proceedings of the Board of Supervisors for the period of January 1, 1999 through December 31, 1999. Said records have been placed on optical disk and microfilm for permanent retention in the Clerk of the Board Office.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute. The motion carried unanimously.

A-8) PUBLIC HEALTH File Reference No. 09-00136

Receive and file the Summaries of Evaluations for 2008 Annual Health Inspections of Detention Facilities by the County Health Officer, regarding compliance with environmental, nutritional, and medical/mental health standards for detention facilities within Santa Barbara County.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Received and filed. The motion carried unanimously.

A-9) PUBLIC WORKS File Reference No. 09-00160

Consider recommendations regarding Tepusquet Road Bridge, County Project No. 862248, Federal Project No. BRLKS-5951(098), Fifth District, as follows:

a) Approve plans and specifications for Tepusquet Road Bridge, located approximately three miles east of the town of Sisquoc, California;

b) Award the construction contract in the amount of $4,220,602.00 to the lowest responsible bidder, Shasta Constructors, Inc. (not a local vendor), P.O. Box 491539, Redding, CA 96049-1539 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 a contingency fund in the amount of $223,530.10 for Tepusquet Road Bridge.

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

a) and b) Approved.

c) and d) Approved.

The motion carried unanimously.

A-10) PUBLIC WORKS File Reference No. 09-00161

Approve and authorize the Chair to execute an Agreement with the Santa Barbara County Association of Governments (SBCAG), for the Reallocation of Regional Surface Transportation Program Funds, in the amount of $500,000 for the Tepusquet Road Bridge, County Project No. 862248, Fifth District.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute. The motion carried unanimously.

A-11) PUBLIC WORKS File Reference No. 09-00140

Consider recommendations regarding Stop Controls on Various Streets, Fourth District, as follows:

a) Adopt thirteen Resolutions establishing Stop Controls on North Pacific Street at its intersection with Park Avenue, North First Street at its intersection with Park Avenue, Union Avenue at its intersection with Twitchell Street, Union Avenue at its intersection with Garrett Street, South Gray Street at its intersection with Pinal Avenue, South Pacific Street at its intersection with Pinal Avenue, South First Street at its intersection with Pinal Avenue, Garrett Street at its intersection with Pinal Avenue, Norris Street at its intersection with Pinal Avenue, Twitchell Street at its intersection with Pinal Avenue, South Pacific Street at its intersection with Soares Avenue, South Gray Street at its intersection with Soares Avenue, Soares Avenue at its intersection with Dyer Street (all in the Old Town Orcutt area); and

b) Approve a Notice of Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the establishment of various stop controls in the Orcutt Area.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Continued, as follows: March 24, 2009 in Santa Maria. The motion carried unanimously.

A-12) SHERIFF File Reference No. 09-00162

Consider recommendations regarding acceptance of grant funding for FY 2008-09 for continued funding of the Sexual Assault Felony Enforcement Team Task Force (SAFE), as follows: (4/5 Vote Required)

a) Accept a grant of $119,958 from the Governor's Office of Emergency Services (OES) to continue the operation of a Sexual Assault Felony Enforcement Team (SAFE); and

b) Approve the Budget Revision No. 2007594 recognizing the grant revenue and appropriating expenditures within the Santa Barbara Sheriff's Department.

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

a) Accepted.

b) Approved.

The motion carried unanimously.

Board of Supervisors

A-13) SUPERVISOR WOLF File Reference No. 09-00167

Approve the appointment of Ray Ford to the Riding and Hiking Trails Committee, term ending October 10, 2010, Second District.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.

A-14) SUPERVISOR CENTENO File Reference No. 09-00171

Approve the appointment of Geraldine Obrikat to the Santa Maria Cemetery District Board of Trustees, term ending December 31, 2009, Fifth District.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Approved. The motion carried unanimously.

Hearing Requests

A-15) COUNTY EXECUTIVE OFFICE File Reference No. 09-00166

Set hearing to consider the Five Year Capital Improvement Program, Fiscal Years 2009-2014, as follows:

a) Receive the Five Year Capital Improvement Program (CIP);

b) Refer the CIP to the Planning Commission and request analysis of projects recommended for planning, initiation, or construction during Fiscal Year 2009-2010 for conformity with the County Comprehensive Plan; and

c) Review and approve in concept the projects included in the CIP and the Proposed Capital Budget for Fiscal Year 2009-2010.

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A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: March 3, 2009 in Santa Barbara (EST. 60 MIN.) The motion carried unanimously.

A-16) PLANNING AND DEVELOPMENT File Reference No. 09-00163

Set hearing to consider recommendations regarding Coastal Resource Enhancement Fund (CREF) Recommended 2009 Awards, as follows:

a) Approve grant awards from the Coastal Resource Enhancement Fund in conjunction with the County's Capital Improvement Plan (CIP) and proposed FY 09-10 budget, based on the staff recommendations provided, and conditions outlined; and

b) Direct staff to commence the 2010-2012 three-year CREF cycle on July 1, 2009.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: March 3, 2009 in Santa Barbara (EST. TIME: 10 MIN.) The motion carried unanimously.

A-17) TREASURER-TAX COLLECTOR File Reference No. 09-00172

Set hearing to consider recommendations regarding the California Municipal Finance Authority financing of tax-exempt private activity bonds on behalf of Westmont College, as follows:

a) Approve and authorize the Chair to execute a Joint Exercise of Powers Agreement relating to the California Municipal Finance Authority; and

b) Approve the issuance of tax-exempt revenue bonds by the California Municipal Finance Authority for the purpose of financing or refinancing the acquisition, construction, and improvement of certain facilities for Westmont College, in a principal amount not to exceed $122,500,000.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: March 3, 2009 in Santa Barbara (EST. TIME: 10 MIN.) The motion carried unanimously.

Approval of Administrative Agenda

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HEARING TIME: 9:10 A.M. - 9:52 A.M. (42 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, to Approve the Administrative Agenda as Amended. The motion carried unanimously.

File Reference No. 09-00001

Public Comment

Public Comment Period

PUBLIC COMMENT PERIOD

HEARING TIME: 9:25 A.M. - 9:52 A.M. (27 MIN.)

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 03-282) (09-00001)

RE: County Mobilehome Park Conversion Ordinance - Betty Lovell, Hank Hoysak and Ron Faas Addressed the Board.

RE: Directed staff to return to the Board with information regarding a County Mobilehome Park Conversion Ordinance - First District Supervisor Salud Carbajal and Second District Supervisor Janet Wolf Addressed the Board.

RE: Fiscal responsibility - Lazarus Addressed the Board.

RE: Discrimination issues - Dr. Robert L. Johns Addressed the Board.

RE: Integrity in politics - George Alvarez Addressed the Board.

RE: County budget suggestions - Bob Fields Addressed the Board.

RE: County chief executive officer positions / duties throughout the state of California - CJ Jackson Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

Acting as the Board of Directors, In-Home Supportive Services Public Authority

1) SOCIAL SERVICES and BOARD OF DIRECTORS, IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY — File Reference No. 09-00119

HEARING - Receive and file a report of activities performed by the In-Home Supportive Services (IHSS) Public Authority between July 1, 2008 and December 31, 2008, and provide direction to staff as appropriate. (EST. TIME: 10 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 3/10/09

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HEARING TIME: 9:53 A.M. - 9:54 A.M. (1 MIN.)

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

March 24, 2009 in Santa Maria (EST. TIME: 10 MIN.)

The motion carried unanimously.

2) PLANNING AND DEVELOPMENT File Reference No. 09-00123

HEARING - Further consider the 2003-2008 General Plan Housing Element Focused Rezone Program, including amendments to the 2003-2008 Housing Element, the Orcutt Community Plan, and the Land Use Development Code to rezone portions of two sites in the Orcutt Community Plan area to the Multi-Family Residential Orcutt (MR-O) zone designation for the purpose of providing 370 units of residential capacity in the County General Plan. To accomplish this, the Board should select and rezone either Orcutt Key Sites 3 and 16 or Orcutt Key Sites 3 and 30. Consider recommendations as follows: (EST. TIME: 1 HR. 30 MIN.)

To select and rezone Orcutt Key Sites 3 and 16, staff recommends that the Board of Supervisors:

a) Take action to clarify the Board's action of December 16, 2008 concerning the certification of the Environmental Impact Report to address the requirements of §15090(a)1-3. Certify Attachment A, the 2003-2008 Housing Element Focused Rezone Program Environmental Impact Report (08-EIR-00000-00005; SCH#2008061139), including EIR Revision Letters dated October 15, 2008 and November 12, 2008;

b) Adopt the following: (Attachment D):

i) The Focused Rezone Program EIR Mitigation Monitoring and Reporting Program (Attachment D-3, Exhibit 3) and related CEQA Findings and Statement of Overriding Considerations, contained in Attachment D-1;

ii) Attachment D-2, a resolution approving specific amendments to the General Plan Housing Element by inserting a revised Policy 1.10: Action 1 Rezone Program and a new subsection entitled Appendix E2 that describes the revised Focused Rezone Program;

iii) Attachment D-3, a resolution approving specific amendments to the Orcutt Community Plan by changing land use designations from Residential Ranchette Minimum Parcel Size 10 acres to Residential 20 on a portion of APN 129-151-026 and from General Commercial to Residential 20 on a portion of APN 105-330-001 and APN 105-330-002; by revising development standards for two sites identified in the Orcutt Community Plan as Key Site 3 and Key Site 16; and, by adding Appendix F, the Mitigation Monitoring and Reporting Program; and

iv) Attachment D-4, an ordinance amending the Santa Barbara County Land Use & Development Code by inserting the new Multi-Family Residential-Orcutt zone district and by amending the Santa Barbara County Zoning Map by rezoning a portion of APN 129-151-026, APN 105-330-001, and APN 105-330-002 to apply the new Multi-Family Residential-Orcutt zone;

To select and rezone Orcutt Key Sites 3 and 30, staff recommends that the Board of Supervisors:

c) Take action to clarify the Board's action of December 16, 2008 concerning the certification of the Environmental Impact Report to address the requirements of §15090(a)1-3. Certify Attachment A, the 2003-2008 Housing Element Focused Rezone Program Environmental Impact Report (08-EIR-00000-00005; SCH#2008061139), including EIR Revision Letters dated October 15, 2008 (Attachment A-1) and November 12, 2008 (Attachment A-3);

d) Adopt the following (Attachment E):

i) The Focused Rezone Program EIR Mitigation Monitoring and Reporting Program (Attachment E-3, Exhibit 3) and related CEQA Findings and Statement of Overriding Considerations, contained in Attachment E-1;

ii) Attachment E-2, a resolution approving specific amendments to the General Plan Housing Element by inserting a revised Policy 1.10: Action 1 Rezone Program and a new subsection entitled Appendix E2 that describes the revised Focused Rezone Program;

iii) Attachment E-3, a resolution approving specific amendments to the Orcutt Community Plan by changing land use designations from Residential Ranchette Minimum Parcel Size 10 acres to Residential 20 on a portion of APN 129-151-026 and from Agriculture 1 minimum Parcel Size 40 Acres to Residential 20 on a portion of APN 107-250-008; by revising development standards for two sites identified in the Orcutt Community Plan as Key Site 3 and Key Site 30; and, by adding Appendix F, the Mitigation Monitoring and Reporting Program; and

iv) Attachment E-4, an ordinance amending the Santa Barbara County Land Use & Development Code by inserting the new Multi-Family Residential-Orcutt zone district and by amending the Santa Barbara County Zoning Map by rezoning a portion of APN 129-151-026 and APN 107-250-008 to apply the new Multi-Family Residential-Orcutt zone.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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HEARING TIME: 9:57 A.M. - 12:20 P.M. (2 HRS., 23 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) and b) No action taken.

c) Approved.

d) Adopted as follows:

i) Adopted.

ii) Adopted.

RESOLUTION NO. 09-033

iii) Adopted.

RESOLUTION NO. 09-034

iv) Adopted.

ORDINANCE NO. 4707

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr and Supervisor Centeno
Noes: 1 - Supervisor Gray

3) GENERAL SERVICES and SHERIFF File Reference No. 09-00121

HEARING - Consider recommendations regarding Sheriff Tech Services/EOC Feasibility Study, as follows: (EST. TIME: 15 MIN.)

a) Reject the proposal of siting the Emergency Operations Center (EOC) in the basement of the Main Jail/Sheriff's Headquarters Expansion project;

b) Transfer $326,298 from the EOC project budget to the Main Jail/Sheriff's Headquarters Expansion project as these funds were originally transferred to the EOC project from the Sheriff Department; and

c) Authorize the Sheriff to develop and bring forward the standalone Main Jail/Sheriff's Headquarters Expansion project at a cost of not to exceed $4,942,710 (except for additional interest accumulation on the COP funds).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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HEARING TIME: 1:05 P.M. - 1:19 P.M. (14 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) and b) Approved.

c) Authorized.

The motion carried unanimously.

4) PARKS File Reference No. 09-00120

HEARING - Consider recommendations regarding Board approval of changes to the current Quagga Mussel Program protocols at Cachuma Lake and for consideration of fee adjustments for the program, as follows: (EST. TIME: 30 MIN.)

a) Approve changes to the current Quagga Mussel Program boat inspection, tagging, and washing protocols and operational practices at Cachuma Lake County Park, to eliminate boat washing from the protocols;

b) Adopt a Resolution adjusting fees at Cachuma Lake County Park, increasing the daily boat launch fee from $8 to $13, the annual boat launch fee from $65 to $120, and the annual senior boat launch fee from $55 to $100, and approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines; and

c) Approve the County of Santa Barbara Water Agency's ongoing annual contribution of up to $60,000 for the Quagga Mussel Program, which is allowable under the Water Agency's mission to preserve the water supply.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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HEARING TIME: 9:55 A.M. 0 9:56 A.M. (1 MIN.)

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

March 24, 2009 in Santa Maria (EST. TIME: 30 MIN.)

The motion carried unanimously.

5) COUNTY EXECUTIVE OFFICE File Reference No. 09-00059

HEARING - Consider recommendations regarding the Fiscal Year 2009-2010 Budget Development Workshop: Part 4 - Potential Service Level Impacts, as follows: (EST. TIME: 4 HRS.)

a) Hold the fourth part of a four-part 2009-2010 budget development workshop and receive the Fiscal Year 2009-2010 Budget Development - Potential Service Level Impacts Report; and

b) Direct staff to proceed with the budget development process in accordance with the Board's adopted budget principles for Fiscal Year 2009-2010.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Play Video

HEARING TIME: 1:20 P.M. - 4:53 P.M. (3 HRS., 33 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) and b) Continued to March 17, 2009 in Santa Barbara (EST. TIME: 4 HRS.)

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr and Supervisor Centeno
Absent: 1 - Supervisor Gray

Adjourned at 4:55 PM

Adjourned to

March 3, 2009

Play Video

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

Announcements

The meeting of Tuesday, February 24, 2009 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 26, 2009, at 5:00 PM and on Saturday, February 28, 2009, at 10:00 AM on CSBTV Channel 20.

http://www.countyofsb.org