

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Salud Carbajal, Vice-Chair

Second District - Janet Wolf

Third District - Doreen Farr, Chair

Fourth District - Joni Gray

Fifth District - Steve Lavagnino

Chandra L. Wallar, County Executive Officer

Agenda

Tuesday, March 13, 2012

9:00 AM

JOSEPH CENTENO BETTERAVIA GOVERNMENT
ADMINISTRATION BUILDING
BOARD HEARING ROOM

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

Persons may address the Board of Supervisors in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Betteravia Government Center, Board Hearing Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.

Board Meeting Procedures

The Board of Supervisors is the legislative body for the County of Santa Barbara. Persons are encouraged to attend and testify before the Board on any matter appearing on the agenda. Correspondence to the Board regarding items appearing on the agenda should be directed to the Clerk of the Board, 105 East Anapamu Street, Room 407, Santa Barbara CA 93101. For information regarding the meetings of the Board of Supervisors including specific meeting times contact the Clerk of the Board at (805) 568-2240. Procedures for the conduct of the meetings of the Board of Supervisors can be found in Board Resolutions 09-368 (General) and 91-333 (Land Use).

The schedule of the Board of Supervisors, meeting agendas, supplemental hearing materials and minutes of the Board meetings are available on the Internet at: www.countyofsb.org

Board Meetings are televised live on County of Santa Barbara TV channel 20. For information about obtaining a videotape of a public hearing or a schedule of CSBTV broadcasts please call (805) 568-3427.

Late Distribution

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to all or a majority of the members of the Board of Supervisors less than 72 hours prior to that meeting are available for inspection in the Clerk of the Board Office, 105 East Anapamu Street, Room 407, Santa Barbara, CA, at the Office of the Board of Supervisors, Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, CA and on the Internet at: <http://santabarbara.legistar.com/Calendar.aspx#current>.

Disability Access

The Board of Supervisors Hearing Room in Santa Barbara is located on the Fourth Floor of the County Administration Building, 105 East Anapamu Street. The Hearing Room is wheelchair accessible. Accessible public parking is available behind the County Administration Building and in City Parking Lot #6 located at the corner of Anacapa Street and Anapamu Street.

The Board of Supervisors Hearing Room in Santa Maria is located at the Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria. The Hearing Room is wheelchair accessible. Accessible public parking is available at the Betteravia Government Center.

American Sign Language interpreters, Spanish language interpretation and sound enhancement equipment may be arranged by contacting the Clerk of the Board of Supervisors by 4:00 p.m. on Friday before the Board meeting. For information about these services please contact the Clerk of the Board at (805) 568-2240.

Closed Session

The Board of Supervisors conducts a Closed Session every Tuesday between 12:00 P.M. and 1:00 P.M. and at 7:50 A.M. as necessary. Closed Sessions are not open to the public. Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Actions taken by the Board during Closed Session will be announced during open session (Gov. Code Sections 54957.1(a) & (b), Ralph M. Brown Act). The Closed Session agenda is posted as an addendum to the Board's agenda each Friday in the Office of the Clerk of the Board. For information related to Closed Session announcements please contact County Counsel at (805) 568-2950.

9:00 A.M. Convene to Regular Session**Roll Call****Pledge of Allegiance****Approval of Minutes of the March 6, 2012 Meeting****12:00 P.M. Recess to Closed Session****Report from Closed Session**COUNTY COUNSEL[12-00009](#)

Closed Session Agenda

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) (12-00001)

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

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 9:00 A.M.**A-1) SUPERVISOR CARBAJAL**[12-00208](#)

Adopt a Resolution proclaiming the week of March 10, 2012 through March 18, 2012 as AmeriCorps Week in Santa Barbara County.

Honorary Resolutions

- A-2) SUPERVISOR CARBAJAL [12-00221](#)

Adopt a Resolution of Commendation honoring the International Women's Festival upon its 5th anniversary.

- A-3) SUPERVISOR CARBAJAL [12-00222](#)

Adopt a Resolution of Commendation celebrating the accomplishments of the International Women's Festival's 2012 Woman of the Year.

- A-4) SUPERVISOR GRAY [12-00211](#)

Adopt a Resolution of Commendation honoring Sheriff's Deputy Christopher Nelson upon his retirement from the Sheriff's Department after over 26 years of faithful and distinguished service to the citizens of Santa Barbara County.

- A-5) SUPERVISOR GRAY [12-00212](#)

Adopt a Resolution of Commendation honoring Custody Deputy Anita Grace Diaz upon her retirement from the Sheriff's Department after 25 years of faithful and distinguished service to the citizens of Santa Barbara County.

Administrative Items

ADDENDUM**Item A-6) is amended as follows:****A-6) COMMUNITY SERVICES****12-00213**

Consider recommendations regarding a Final Mitigated Negative Declaration for the Franklin Trail Project in the Carpinteria Area, First District, as follows:

- a) Approve certification that the Board has reviewed and considered the information contained in Final Mitigated Negative Declaration (MND) No. 12NGD-00000-00003, including revisions specified in the Memorandum submitted by Community Services dated March 9, 2012, and including any modifications made by the Board in the public hearing, and the public comments received, prior to project approval;
- b) Determine that the Final MND for the Franklin Trail Project has been completed in compliance with the California Environmental Quality Act (CEQA);
- c) Adopt the MND, including revisions specified in the Memorandum submitted by Community Services dated March 9, 2012, and including any modifications made by the Board in the public hearing, along with the CEQA findings; and
- d) Adopt the project description (Proposed Project) and mitigation measures, with their corresponding monitoring requirements, including revisions specified in the Memorandum submitted by Community Services dated March 9, 2012, and including any modifications made by the Board in the public hearing, as the Mitigation Monitoring Program for this project.

A-7) COMMUNITY SERVICES[12-00216](#)

Consider recommendations regarding the Dahlia Court II (Expansion) Subordination Agreements, as follows:

- a) Approve and authorize the Chair of the Board of Supervisors to execute one Subordination Agreement, for a construction loan by Rabobank, N.A., in the amount of \$10,522,000.00;
- b) Authorize the Director of the Community Services Department or his/her designee to execute a Consent and Subordination to the Easement, Joint Use and Maintenance Agreement; and
- c) Authorize the Community Services Director to enter into a subordination agreement with a permanent lender after the completion of construction of the Project in a form approved by County Counsel.

A-8) PUBLIC WORKS[12-00214](#)

Consider recommendations regarding a Memorandum of Understanding for the Wine Country Express Lompoc to Solvang Transit Service, as follows:

- a) Approve and authorize the Chair to execute a Memorandum of Understanding between the Cities of Lompoc, Solvang, Buellton and the County of Santa Barbara to continue regular, fixed-route transit service on the Highway 246 corridor between Lompoc and Solvang;
- b) Find that the proposed action(s) do not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to 14 CCR 15378(b)(2) (continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy and procedure making); and
- c) Approve the filing of a Notice of Exemption on that basis.

**A-9) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT**[12-00219](#)

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

Consider recommendations regarding deed acceptance for a sewer main serving the Crystal Creek development, Fourth District, as follows:

- a) Approve the acceptance of Easement Deeds from the following:
 - i) Crystal Creek Homeowner's Association;
 - ii) Robert and Barbara Diyorio; and
 - iii) Margaret Heath and Joel Heath trusts; and
- b) Authorize the Clerk of the Board to execute the Certificates of Acceptance regarding the sewer main serving the Crystal Creek development.

A-10) PUBLIC WORKS[12-00220](#)

Consider recommendations regarding the Tajiguas Landfill Phase IIC Groundwater Protection System, County Project No. 828356, Third District, as follows:

- a) Approve the Statement of Final Quantities for work performed and materials supplied for this project by the contractor, Papich Construction Co., Inc. (not a local vendor), in the amount of \$3,132,628.23; and
- b) Find, pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162, that no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the Phase IIC project. The Notice of Completion and Statement of Final Quantities implement the Phase IIC project which was analyzed in the Tajiguas Landfill Expansion Project EIR, 01-EIR-05, and Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project Subsequent EIR, 08-EIR-00000-00007, certified by the Board of Supervisors on August 13, 2002 and May 5, 2009 respectively.

Board of Supervisors**A-11) SUPERVISOR CARBAJAL**[12-00218](#)

Approve the appointment of Dan Eidelson to the Mosquito and Vector Management District of Santa Barbara County, term ending December 31, 2015, First District.

Administrative Item**A-12) PUBLIC WORKS**[12-00224](#)

Approve the appointment of Aleksandar Jevremovic as the County Surveyor to commence on March 19, 2012.

Approval of Administrative Agenda

Departmental Agenda
Planning Items and Public Hearings

1) **TREASURER-TAX COLLECTOR**

[12-00217](#)

HEARING - Consider recommendations regarding Montecito Retirement Association Conduit Financing, as follows: (EST. TIME: 15 MIN.)

a) Adopt a Resolution approving the form and authorizing the execution of certain documents in connection with the installment sale financing of facilities for Montecito Retirement Association and directing certain actions with respect thereto;

b) Approve and authorize the Chair to execute a Contract appointing Quint & Thimmig to perform legal services as bond counsel, in the amount of \$35,000.00;

c) Approve and authorize the Chair to execute a Contract appointing Orrick, Herrington & Sutcliffe to perform legal services as special issuer's counsel, in the amount of \$10,000.00;

d) Authorize the County to be reimbursed for costs pursuant to the financing in an amount not to exceed \$30,000.00; and

e) Determine that the above actions are government fiscal activities that are not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Departmental Item No. 2) Time Certain - 10:00 A.M.**2) PLANNING AND DEVELOPMENT**[12-00210](#)

HEARING - Consider recommendations of the County Planning Commission to approve Case Nos. 11ORD-00000-00017 and 11ORD-00000-00018 which would amend, respectively, the County Land Use and Development Code and the County Coastal Zoning Ordinance to implement amendments establishing a permit process for the closure of mobilehome parks, as follows: (EST. TIME: 1 HR. 30 MIN.)

a) Consider recommendations regarding Case No. 11ORD-00000-00017, Land Use and Development Code Amendment, as follows:

i) Make the findings for approval of the proposed amendments;

ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and

iii) Adopt Case No. 11ORD-00000-00017, an Ordinance amending Section 35-1, the County Land Use and Development Code, of Chapter 35, Zoning, of the County Code; and

b) Consider recommendations regarding Case No. 11ORD-00000-00018, Coastal Zoning Ordinance Amendment, as follows:

i) Make the findings for approval of the proposed amendments;

ii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and

iii) Adopt Case No. 11ORD-00000-00018, an Ordinance amending the County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

3) COUNTY EXECUTIVE OFFICE[12-00215](#)

HEARING - Consider recommendations regarding the funding of Santa Barbara County Fire Protection District ongoing operations, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file a report from the County Executive Office on possible funding sources for ongoing Fire Department Operations; and
- b) Approve the deferral of funding decisions and direct ongoing funding of Fire Department Operations to be discussed as part of the Fiscal Year 2012/2013 County Executive Office proposed budget.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

4) PUBLIC HEALTH[12-00209](#)

HEARING - Consider recommendations regarding a Homeless Death Review Team Report for 2011, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file an Executive Summary Report and presentation on homeless deaths in Santa Barbara County from the Homeless Death Review Team; and
- b) Determine that these activities are exempt from California Environmental Quality Act review per CEQA Guideline Section 15061(b) (3), since it can be seen with certainty that there is no possibility that the activities may have a significant effect on the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

5) PLANNING AND DEVELOPMENT[12-00137](#)

HEARING - Consider the Planning Commission's recommendation for denial of the Key Site 3 project, Case Nos. 06GPA-00000-00016, 06RZN-00000-00007, 06DVP-00000-00015, 06TRM-00000-00004/TM 14,714, and 10CUP-00000-00001, APN 129-151-026, located approximately 0.5 miles south of the Clark Avenue /U.S. Highway 101 intersection in the Orcutt area, Fourth District, as follows: (EST. TIME: 1 HR. 15 MIN.)

- a) Make the required findings to deny the project specified in the findings;
- b) Determine the project to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15270 of CEQA;
- c) Approve the filing of a Notice of Exemption; and
- d) Deny the project, Case Nos. 06GPA-00000-00016, 06RZN-00000-00007, 06DVP-00000-00015, 06TRM-00000-00004/TM14,714, and 10CUP-00000-00001.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Adjourn to**March 20, 2012**

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

Challenges

IF YOU CHALLENGE A DETERMINATION MADE ON A MATTER ON THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE BOARD OF SUPERVISORS AT, OR PRIOR TO, THE PUBLIC HEARING.

Announcements

The meeting of Tuesday, March 13, 2012 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, March 15, 2012, at 5:00 PM and on Saturday, March 17, 2012, at 10:00 AM on CSBTV Channel 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY, MARCH 27, 2012; THIS IS A FOURTH TUESDAY. THE NEXT REGULAR MEETING WILL BE HELD ON TUESDAY, APRIL 3, 2012 IN SANTA BARBARA.

<http://www.countyofsb.org>