

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Salud Carbajal, Chair
Second District - Janet Wolf
Third District - Doreen Farr
Fourth District - Peter Adam
Fifth District - Steve Lavagnino, Vice Chair

Chandra L. Wallar, County Executive Officer

Agenda

Tuesday, March 12, 2013

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, 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 Orcutt Room, Social Services Building, 2125 Centerpointe Parkway, Betteravia Government Center, 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 5, 2013 Meeting****12:00 P.M. Recess to Closed Session****Report from Closed Session**COUNTY COUNSEL[13-00009](#)

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) (13-00001)

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.

Honorary ResolutionsA-1) SUPERVISOR CARBAJAL, SUPERVISOR WOLF[13-00163](#)

Adopt a Resolution of Commendation honoring the Anti-Defamation League upon their 100th anniversary.

A-2) SUPERVISOR FARR [13-00168](#)

Adopt a Resolution of Commendation honoring Nancy Davidson for her dedication to Planned Parenthood of Ventura, Santa Barbara, and San Luis Obispo Counties.

Administrative Items**A-3) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [13-00164](#)**

Approve and authorize the Interim Director of Alcohol, Drug & Mental Health Services to execute the Memorandum of Understanding with the California Department of State Hospitals for the purchase of state hospital beds in the amount of \$225,205.00 for the period of July 1, 2012 through June 30, 2013.

A-4) COMMUNITY SERVICES [13-00167](#)

Consider recommendations regarding the Santa Barbara County Arts Commission application for California Arts Council State Local Partnership Program (SLPP) Grant, as follows:

a) Adopt a Resolution that dedicates the Santa Barbara County Arts Commission to serve as the County partner in the State-Local Partnership Program (SLPP), authorizes the Arts Commission to submit an application for a 2013/2014 SLPP grant to the California Arts Council and execute the Grant Agreement if awarded by the California Arts Council;

b) Authorize the Executive Director of the Arts Commission or designee to execute the 2013/2014 SLPP Grant Agreement with the California Arts Council in a form substantially similar to the draft Grant Agreement and upon review and approval of the County Counsel, Auditor-Controller, and Risk Manager or their designees if the SLPP grant is awarded; and

c) Determine that the adoption of the Resolution and execution of the Grant Agreement are not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4), finding that the actions are not a project as they are the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment, and direct staff to file the Notice of Exemption.

A-5) COUNTY COUNSEL [13-00151](#)

Consider recommendations regarding a Contract with outside counsel for potential eminent domain litigation, as follows: (4/5 Vote Required.)

a) Approve and authorize the Chair to execute an Agreement for Professional Services between the County of Santa Barbara and attorney Duff Murphy, of the firm Oliver, Sandifer and Murphy, in the amount of \$50,000.00; and

b) Find that the proposed action is not a "project" under CEQA Guideline 15378(b)(4) in that it does not involve a commitment to any specific project which may result in a potentially significant impact to the environment.

A-6) COUNTY EXECUTIVE OFFICE**13-00166**

Consider recommendations regarding Indian Gaming Local Community Benefit Committee Grant Applications, as follows:

- a) Authorize the submittal of Grant Applications to the Indian Gaming Local Community Benefit Committee for the following services mitigating casino impacts:
 - i) Authorize the Sheriff to sign and submit Grant Application(s) for law enforcement patrol services; and
 - ii) Authorize the Fire Chief to sign and submit Grant Application(s) for fire suppression and emergency medical services; and
- b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(4) of the CEQA Guidelines, because they are government funding mechanisms or fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-7) PLANNING AND DEVELOPMENT**13-00171**

Consider recommendations regarding Amendment No. 1 to Coastal Resource Enhancement Fund Grant Contract No. BC-13-091 with Trust for Public Lands for Acquisition of Ocean Meadows Property, Third District, as follows:

- a) Approve and authorize the Chair to execute Amendment No. 1 to Coastal Resource Enhancement Fund (CREF) contract BC-13-091 (included herein as Attachments 1 and 2, respectively) with the Trust for Public Lands (TPL) for a grant to acquire a 63-acre portion of the Ocean Meadows property, located north of Devereux Slough, for purposes of modifying the indemnification clause of the contract and clarifying the restricted uses of the property; and
- b) Determine that the Contract Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15313 of the State Guideline for the Implementation of the California Environmental Quality Act.

A-8) PUBLIC HEALTH**13-00165**

Consider recommendations regarding a revenue Agreement with Marian Regional Medical Center for a Level III Trauma Center Designation Application, as follows:

- a) Approve and authorize the Chair to execute a Revenue Agreement with Marian Regional Medical Center (MRMC) for the period beginning March 12, 2013 through June 30, 2013, for services provided in the application process for Level III Trauma Center designation; 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.

A-9) PUBLIC WORKS**13-00162**

Consider recommendations regarding the acceptance of an offer and sale of surplus heavy equipment at a Caterpillar sponsored auction, as follows:

- a) Accept the highest public auction offer to purchase three (3) pieces of surplus heavy equipment with a combined minimum net sales value of \$130,000.00; and
- b) Authorize the Purchasing Manager to prepare Bills of Sale and complete these transactions.

A-10) SOCIAL SERVICES**13-00170**

Approve and authorize the Chair to execute Amendment No. 1 to the Agreement with Good Samaritan Shelter to provide alcohol and drug treatment services to Child Welfare Services (CWS) clients for an additional \$176,000.00 for the period of July 1, 2012 through June 30, 2014 for an amount not to exceed \$560,000.00.

A-11) TREASURER-TAX COLLECTOR**13-00132**

Consider recommendations regarding an Ordinance to amend Section 2-10.8 of Article 1 of Chapter 2 of the Santa Barbara County Code to recover certain tax auction mandated costs, as follows:

- a) Consider the adoption (second reading) of an Ordinance amending Section 2-10.8 of the Santa Barbara County Code to establish fees for the Treasurer-Tax Collector's Office; and
- b) Determine that the above action(s) are not a "project" under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines because they consist of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

Board of Supervisors

- A-12) SUPERVISOR CARBAJAL [13-00141](#)

Approve the reappointment of Marina Owen to the Community Health Center Board, term ending March 12, 2016, First District.

- A-13) SUPERVISOR FARR [13-00172](#)

Approve the appointment of Joice Raguz to the Guadalupe Cemetery District Board of Trustees, term ending March 31, 2017, Third District.

- A-14) SUPERVISOR LAVAGNINO [13-00161](#)

Approve the appointment of Robert Barry Doyle to the Housing Authority Board of Commissioners, term ending December 31, 2015, Fifth District.

Hearing Requests

- A-15) PUBLIC WORKS [13-00160](#)

Set hearing to consider recommendations regarding Measure A Program of Projects and Local Streets and Roads Backlog, Fiscal Year 2013/2014, as follows:
(Set hearing for 4/2/13. Time estimate: 30 minutes.)

a) Approve and authorize the Chair to adopt a Resolution for the Measure A Five-Year Local Program of Projects for Fiscal Years 2013/2014 through 2018/2019, for submittal to the Santa Barbara County Local Transportation Authority for acceptance;

b) Reaffirm Resolution 10-102, which established priorities and policies for the use of the local portion of the one-half cent sales tax for the transportation needs in Santa Barbara County;

c) Reaffirm the distribution ratios of Measure A revenues within Supervisorial Districts of the North County and South Coast;

d) Direct staff to prepare Fiscal Year 2013/2014 Road Maintenance Annual Plan (RdMAP) based upon approved Measure A distribution formula; and

e) Find that the proposed action is for the operation and maintenance of existing public facilities, involving negligible, or no expansion of use beyond that which presently exists, that the proposed action is therefore exempt from CEQA pursuant to 14 CCR 15301, and approve the filing of a Notice of Exemption on that basis.

Approval of Administrative Agenda

Departmental Agenda
Planning Items and Public Hearings

Department requests continuance of Departmental Item No. 1) to April 9, 2013

1) PLANNING AND DEVELOPMENT [13-00055](#)

HEARING - Consider recommendations regarding the Naples Coalition Appeal, Case No. 12APL-00000-00018, of the Planning Commission's Approval of the Schulte/Dos Pueblos Lot Line Adjustment Project, Case No. 10LLA-00000-00003, Third District, as follows:
(EST. TIME: 1 HR.)

a) Deny the appeal, Case No. 12APL-00000-00018, thereby affirming the County Planning Commission's approval of the project;

b) Make the required findings for approval of the project, Case No. 10LLA-00000-00003, including the California Environmental Quality Act (CEQA) findings;

c) Consider the environmental review documents, addendum dated October 17, 2012, together with the previously certified Environmental Impact Report 04EIR-00000-00014, and determine that, as reflected in the CEQA findings, no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this project; and

d) Grant de novo approval of Case No. 10LLA-00000-00003, subject to the conditions specified in Attachment B of the Planning Commission action letter dated November 15, 2012.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 4/9/13

2) SHERIFF, FIRE [12-00591](#)

HEARING - Receive and file a presentation from the Sheriff's Office describing the status of the County Air Support Unit. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) PLANNING AND DEVELOPMENT[12-00598](#)

HEARING - Consider recommendations regarding the Goolsby and Goolsby Kay Appeal, Case No. 12APL-00000-00011, of the Montecito Planning Commission Approval of a Verizon Wireless Facility at the Montecito Switch Station, Case No. 12CUP-00000-00007, First District, as follows: (EST. TIME: 1 HR.)

- a) Deny the appeal, Case No. 12APL-00000-00011, thereby upholding the Montecito Planning Commission's approval of the project;
- b) Make the required findings for the project, including CEQA findings;
- c) Determine the project is exempt from CEQA pursuant to Section 15301 and 15303 of the State Guidelines for the implementation of the California Environmental Quality Act, as specified in Attachment C of the Montecito Planning Commission Staff Report dated May 4, 2012; and
- d) Approve de novo the Conditional Use Permit for the proposed telecommunications facility, 12CUP-00000-00007, subject to the conditions.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

4) PLANNING AND DEVELOPMENT[13-00152](#)

HEARING - Consider recommendations of the Montecito Planning Commission to approve Case No. Case No. 12ORD-00000-00016 which would amend Division 35.9, Montecito Land Use and Development Code Administration, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, to give the Director the discretion to grant an additional extension to the time period in which the reconstruction of a nonconforming structure must commence in situations where substantial offsite infrastructure improvements are required to be completed prior to commencement of reconstruction, as follows: (EST TIME: 15 MIN.)

- a) Make the findings for approval, including CEQA findings, of the proposed Ordinance;
- b) Determine that the adoption of this Ordinance is exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and
- c) Approve Case No. 12ORD-00000-00016, an Ordinance amending Division 35.9, Montecito Land Use and Development Code Administration, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

5) PLANNING AND DEVELOPMENT[13-00169](#)

HEARING - Consider recommendations regarding Climate Action Strategy - Phase 2: Energy and Climate Action Plan Briefing, as follows: (EST. TIME: 1 HR.)

- a) Receive and file a briefing on the Energy and Climate Action Plan; and
- b) Approve staff's recommendation to develop the Energy and Climate Action Plan with a target of 15% reduction in greenhouse gas emissions from the baseline level through the development of Option 4 as the project description to be studied in the Environmental Impact Report.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

6) COMMUNITY SERVICES[13-00093](#)

HEARING - Consider recommendations regarding countywide fee adjustments for Santa Barbara County Parks and Services, as follows: (EST. TIME: 30 MIN.)

- a) Adopt a Resolution adjusting County parks fees for special use of day use park facilities and camping fees, and establishing new fees for use of aquatic facilities and aquatic programs and services; and
- b) Determine that the adoption of the Resolution is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21080(b)(8) of the California Public Resources Code and CEQA Guidelines Section 15273(a)(1), (2), (3) and (4) since CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of: (1) Meeting operating expenses, including employee wage rates and fringe benefits, (2) Purchasing or leasing supplies, equipment, or materials, (3) Meeting financial reserve needs and requirements, (4) Obtaining funds for capital projects necessary to maintain service within existing service areas and direct staff to file a Notice of Exemption on that basis.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

7) PUBLIC HEALTH[13-00110](#)

HEARING - Consider recommendations regarding a Resolution to amend the Environmental Health Services Fee Schedule to include a Cottage Food Operations Fee, as follows: (EST. TIME: 15 MIN.)

- a) Adopt a Resolution to amend fees for Environmental Health Services pursuant to the California Retail Food Code, Health & Safety Code §113700, et seq.; and
- b) Pursuant to California Environmental Quality Act (CEQA) guidelines, approve the Notice of Exemption from the California Environmental Quality Act of 1970 (CEQA) for the fee resolutions.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Adjourn to

March 19, 2013

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 12, 2013 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, March 14, 2013, at 5:00 PM and on Saturday, March 16, 2013, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>