

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

Action Summary

Tuesday, August 27, 2013

9:00 AM

**JOSEPH CENTENO BETTERAVIA GOVERNMENT
ADMINISTRATION BUILDING, 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, 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.

Closed Session

9:00 A.M. Convened to Regular Session

Roll Call

- Present:** 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Farr

Pledge of Allegiance

The Board of Supervisors and the assembled public observed a moment of silence in honor of Kenneth Clifford Alvarez of Santa Maria who was killed in the line of duty in Afghanistan.

Approval of Minutes of the August 20, 2013 Meeting

A motion was made by Supervisor Wolf, seconded by Supervisor Adam, to Approve the Minutes. The motion carried by the following vote.

- Ayes:** 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Farr

12:00 P.M. Recessed to Closed Session

Supervisor Farr will be participating in Closed Session from the following remote location:

**Main Lobby
Resort at Squaw Creek
Lake Tahoe
400 Squaw Creek Road
Olympic Valley, CA 96146**

Report from Closed Session

COUNTY COUNSEL

13-00009

Closed Session Agenda

County Counsel reported that by a vote of 5:0, on August 20, 2013 the Board of Supervisors approved the 9th tolling agreement with the Federal Fish and Wildlife Service in the California Tiger Salamander matter.

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.

Re: Resources in the Public Defenders Office - Peter Passell addressed the Board.

Re: Ongoing Labor Negotiations/IHSS - Tim Claborn, Deedra Edgar, Robin Barber, Silvia Uribe, Randy Carnahan, Clara McDonald, Viriana Saavedra, Andrew Oman, Hazel Davalos, Yesenia DeCasaus, Rachel Flores, Debra Luiz, Raul Ceja, Kim Gray, Edwin Weaver and Bruce Corsaw addressed the Board.

Re: County Jail Food/Mail Policy - Wendi Rupp, Zachary King and Marissa Garcia addressed the Board

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 ADAM, SUPERVISOR LAVAGNINO [13-00602](#)

Adopt a Resolution of Commendation recognizing Frank P. Campo upon his 30 years of public service to the citizens of the United States, State of California and County of Santa Barbara.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Adopted.

RESOLUTION NO. 13-206

The motion carried by the following vote.

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

Absent: 1 - Supervisor Farr

A-2) SUPERVISOR LAVAGNINO [13-00655](#)

Adopt a Resolution honoring the Santa Maria Southside Little League All Stars upon completing the most successful run by a Santa Maria Valley Little League team since 1969.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Adopted.

RESOLUTION NO. 13-207

The motion carried by the following vote.

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

Absent: 1 - Supervisor Farr

Honorary Resolutions

A-3) SUPERVISOR FARR [13-00637](#)

Adopt a Resolution of Commendation honoring Robert R. Mott upon his retirement from the Sheriff’s Department after over 28 years of faithful and distinguished service to the citizens of Santa Barbara County.

A motion was made by Supervisor Wolf, seconded by Supervisor Adam, that this matter be Adopted.

RESOLUTION NO. 13-208

The motion carried by the following vote.

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

Absent: 1 - Supervisor Farr

Administrative Items

A-4) COMMUNITY SERVICES [13-00652](#)

Consider recommendations regarding a CDBG Grant Funding Contract for the City of Guadalupe American Legion Hall Seismic Retrofit, as follows:

a) Approve and authorize the Chair to execute a CDBG funding Contract in the amount of \$367,500.00, consisting of \$150,000.00 in CDBG funds already approved by the Board as part of the Fiscal Year 2012/2013 Annual Action Plan (Resolution No. 12-112) and \$217,500.00 in CDBG funds already approved by the Board as part of the Fiscal Year 2013/2014 Annual Action Plan (Resolution No. 13-171); and

b) Determine that approval and execution of the CDBG funding Contract is exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the State Guidelines for the Implementation of CEQA, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing use and approve the filing of a Notice of Exemption on that basis.

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

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

The motion carried by the following vote.

- Ayes:** 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Farr

A-5) COUNTY COUNSEL 13-00657

Approve and authorize the County Counsel to execute a Contract for services with Neilsen, Merksamer, Parrinello, Gross & Leoni, LLP as outside counsel in an amount not to exceed \$150,000.00. (4/5 Vote Required)

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

Tabled the matter pending the Closed Session discussion of related issues.

The motion carried by the following vote:

- Ayes:** 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Farr

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

Directed staff to return to the Board as appropriate with an amended contract that provides \$25,000 for an advisory opinion on the legal implications of Tribal Consolidation and to eliminate any litigation reference in the agreement.

The motion carried by the following vote:

- Ayes:** 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Farr

A-6) DISTRICT ATTORNEY

[13-00645](#)

Adopt a Resolution authorizing the District Attorney to renew the Agreement with the State Department of Insurance for the Life and Annuity Consumer Protection Program Grant in the Fiscal Year 2013/2014 budget.

A motion was made by Supervisor Wolf, seconded by Supervisor Adam, that this matter be Adopted.

RESOLUTION NO. 13-209

The motion carried by the following vote.

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

Absent: 1 - Supervisor Farr

A-7) GENERAL SERVICES[13-00653](#)

Consider recommendations regarding countywide vending machine operations with San Luis Beverages, Lindberg Vending, and Snackman Vending, Folio Nos. 003086, 003087 and 003088, as follows:

- a) Direct the General Services Department to notify the current vendors; San Luis Beverages, Lindberg Vending and Snackman Vending, that the County is not in mutual agreement to extend an additional five (5) years on each of their current License Agreements, but will temporarily operate the term month to month until further notice;
- b) Authorize the General Services Department to solicit bids from vendors to provide healthy food and beverages with energy efficient vending machines, and if no bids or unacceptable bids are received, the Countywide vending machine program shall be discontinued; and
- c) Determine that the proposed actions by the Board are exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301 and approve and direct staff to file and post a Notice of Exemption on that basis.

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

- a) Directed;
- b) and c) Authorized and Approved.

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

Absent: 1 - Supervisor Farr

A-8) PROBATION[13-00646](#)

Authorize the Chief Probation Officer to execute the Grant Agreement and accept the Federal Fiscal Year (FFY) 2014 California Office of Traffic Safety (OTS) Grant in the amount of \$120,000.00 for the year covering October 1, 2013 to September 30, 2014.

A motion was made by Supervisor Wolf, seconded by Supervisor Adam, that this matter be Authorized. The motion carried by the following vote.

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

Absent: 1 - Supervisor Farr

A-9) PUBLIC HEALTH[13-00650](#)

Consider recommendations regarding Professional Services for Contractor on Payroll for Mimi Applegate Elder as follows:

a) Approve and authorize the Chair to execute an Agreement for Contractor on Payroll, Not Subject to Retirement, with Mimi Applegate Elder, RN (a local vendor), to review data and patient records related to the STEMI program (the term STEMI refers to a type of heart attack called ST Elevated Myocardial Infarction) and the Cardiac Arrest Registry to Enhance Survival (CARES) rendered by prehospital and hospital care providers. This Agreement will commence on September 2, 2013 and continue through August 31, 2014 in an amount not to exceed \$51,617.00; 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 motion was made by Supervisor Wolf, seconded by Supervisor Adam, that this matter be Acted on as follows:

a) Approved; Chair to execute: and

b) Approved.

The motion carried by the following vote.

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

Absent: 1 - Supervisor Farr

A-10) PUBLIC HEALTH[13-00649](#)

Consider recommendations regarding a Level III Trauma Center Designation Agreement with Marian Regional Medical Center; Level II Trauma Center Designation First Amendment with Santa Barbara Cottage Hospital, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute an Amendment to the Agreement for Level II Trauma Center Designation with Santa Barbara Cottage Hospital to include Level II Pediatric Trauma for the period beginning July 1, 2011 to June 30, 2015;

b) Approve and authorize the Chair to execute an Agreement with Marian Regional Medical Center for Level III Trauma Center Designation for the period beginning July 1, 2013 to June 30, 2015;

c) Approve Budget Revision Request No. 0003069 reflecting \$75,000.00 of unanticipated revenue from Charges for Services and decreasing Intergovernmental Revenue - State (\$75,000.00) for Fiscal Year 2013/2014 in the County's financial system; and

d) 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 motion was made by Supervisor Wolf, seconded by Supervisor Adam, that this matter be Acted on as follows:

a) and b) Approved; Chair to execute;

c) and d) Approved.

The motion carried by the following vote.

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

Absent: 1 - Supervisor Farr

A-11) PUBLIC WORKS13-00648

Consider recommendations regarding Lower Mission Creek Flood Control Project; Reach 1B Acquisition, County Project No. SC8042, Second District, as follows:

- a) Approve and authorize the Chair to execute the Real Property Purchase Contract and Escrow Instructions with Erik and Alex Funke, for the purchase of County APN 033-074-020 in fee interest, as well as for the purchase of permanent easement in perpetuity on a portion of County APN 033-074-021 in the amount of \$501,275.00, in connection with the Lower Mission Creek Flood Control Project; Reach 1B, County Project No. SC8042;
- b) Approve and authorize the Chair to execute the Temporary Construction Easement in the amount of \$4,000.00 per month to Erik and Alex Funke for an estimated nine month period totaling \$36,000.00, related to the use of the temporary construction easement on a portion of County APN 033-074-021 in connection with the Lower Mission Creek Flood Control Project; Reach 1B, County Project No. SC8042;
- c) Accept the original Grant Deed to the real property conveyed from Erik and Alex Funke to the County of Santa Barbara for a parcel of land known as County APN 033-074-020 by authorizing the Clerk of the Board to execute the Certificate of Acceptance;
- d) Accept the original Permanent Easement Deed to the real property conveyed from Erik and Alex Funke to the Santa Barbara County Flood Control and Water Conservation District for a portion of land approximately 11,202 square feet located on the property at 135 Kimberly Avenue known as County APN 033-074-021 by authorizing the Clerk of the Board to execute the Certificate of Acceptance;
- e) Accept the original Temporary Construction Easement conveyed from Erik and Alex Funke to the Santa Barbara County Flood Control and Water Conservation District for a portion of land approximately 4,083 square foot on a portion of the property located at 135 Kimberly Avenue Known as County APN 033-074-021 by authorizing the Clerk of the Board to execute the Certificate of Acceptance; and
- f) Find that pursuant to the California Environmental Quality Act (CEQA) Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the approval of the recommended action and therefore pursuant to CEQA Section 15162, those actions are within the scope of the project covered by the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Lower Mission Creek Flood Control Project as well as the Findings and Statement of Overriding Considerations accepted by the Board of Directors as a Responsible Agency on May 10, 2011, and no new environmental document is required.

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

a) and b) Approved; Chair to execute;

c) through e) Accepted; and

f) Approved.

The motion carried by the following vote.

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

Absent: 1 - Supervisor Farr

A-12) SOCIAL SERVICES

[13-00654](#)

Consider recommendations regarding Santa Barbara County System Improvement Plan 2012, as follows:

a) Approve the 2012-2017 Santa Barbara County System Improvement Plan (SIP) developed in accordance with Assembly Bill 636, Chapter 678, Statutes of 2001, and the California Child and Family Services Review for submission to the California Department of Social Services (CDSS); and

b) Determine under CEQA Guidelines Section 15061(b)(3) that this activity is exempt from review on the basis that it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

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

a) and b) Approved.

The motion carried by the following vote.

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

Absent: 1 - Supervisor Farr

Board of SupervisorsA-13) SUPERVISOR FARR[13-00656](#)

Approve the appointment of Janet Blevins to the Air Pollution Control District Community Advisory Council, term ending December 31, 2016, Third District.

A motion was made by Supervisor Wolf, seconded by Supervisor Adam, that this matter be Approved. The motion carried by the following vote.

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

Absent: 1 - Supervisor Farr

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE 13-00647

HEARING - Consider recommendations regarding Recidivism Reduction: Overview of Results First and Pay for Success Initiatives, as follows: (EST. TIME: 1 HR.)

- a) Receive and file a report on recidivism reduction opportunities associated with implementing the Results First Initiative and feasibility analysis of a Pay for Success partnership model;
- b) Authorize staff to proceed with the Results First Initiative and authorize the Chair to execute a letter of Support and return to the Board with findings;
- c) Direct staff to conduct the feasibility study on the Pay for Success partnership model or other next steps and/or follow up, returning to the Board with additional information as warranted; and
- d) Determine that this is not a project under the California Environmental Quality Act (CEQA) Section 15378 (b) (5) since it is an organizational or administrative activity that will not result in direct or indirect physical changes to the environment.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 10:30 AM - 11:57 AM (1 HR. 27 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) **Received and filed.**
- b) **Authorized, Chair to execute.**
- c) **Directed staff to initiate the feasibility study, to provide that information to the County Debt Advisory Committee who will return to the Board with a recommendation as appropriate.**
- d) **Approved.**

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

Absent: 1 - Supervisor Farr

2) PLANNING AND DEVELOPMENT[13-00577](#)

HEARING - Consider the Planning Commission's recommendation for approval of the Bradley Village, Orcutt Community Plan Key Site 30, Project, Case Nos. 05GPA-00000-00006, 05RZN-00000-00010, 07TRM-00000-00006 / TM 14,739, 07DVP-00000-00032, 10DVP-00000-00002, APN 107-250-008, located on the west side of Bradley Road between Union Valley Parkway and Patterson Road, approximately 2 miles northwest of the Clark Avenue /U.S. Highway 101 intersection, in the Orcutt area, Fourth District, as follows: (EST. TIME: 20 MIN.)

- a) Make the required findings for approval of the project, including CEQA findings;
- b) Certify the Final Subsequent Environmental Impact Report (12EIR-00000-00005) and adopt the mitigation monitoring program contained in the conditions of approval, as revised;
- c) Approve a Comprehensive Plan Amendment (05GPA-00000-00006) and adopt a Resolution, approving the following: 1) change the Land Use Designation on the subject parcel from Agriculture (A-I-40) to Residential (RES-4.6, RES-3.3, RES-8) on approximately 21.2-acres, and Recreation (REC) on approximately 47.8-acres; 2) amend Orcutt Community Plan Development Standard KS30-2 to allow storm water detention basins to be located within the open space area; 3) amend Orcutt Community Plan Development Standard KS30-4 to allow for the re-alignment of the public multi-use trail identified in the Orcutt Community Plan Parks, Recreation, and Trails Map as B-1, Bradley Connector; and 4) revise the location of the public multi-use trail identified in the Orcutt Community Plan Parks, Recreation, and Trails map identified as B-1, Bradley Connector;
- d) Approve a rezone (05RZN-00000-00003) and adopt an Ordinance changing the zone district on specified portions of the subject parcel from Agriculture (AG-I-40) to Single Family Residential (8-R-1, 10-R-1), Small Lot Planned Development (SLP), and Recreation (REC);
- e) Approve a Vesting Tentative Tract Map (07TRM-00000-00006 / TM 14,739) as depicted in Attachment H of the Planning Commission staff report dated April 22, 2013 subject to the conditions of approval, as revised;
- f) Approve a Final Development Plan (07DVP-00000-00032) to develop 18 single family residential units within the Small Lot Planned Development (SLP) zone district subject to the conditions of approval, as revised; and
- g) Approve a Final Development Plan (10DVP-00000-00002) for the development of a 3.5-acre private passive park subject to the conditions of approval, as revised.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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

September 10, 2013 in Santa Maria.

The motion carried by the following vote:

- Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent: 1 - Supervisor Farr

The Santa Barbara County Board of Supervisors Adjourned the Meeting of August 27, 2013 in Honor of Kenneth Clifford Alvarez who was Killed in the Line of Duty in Afghanistan.

Adjourned at 11:57 AM

Adjourn to Tuesday, September 3, 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, August 27, 2013 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, August 29, 2013, at 5:00 PM and on Saturday, August 31, 2013, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>

