

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, September 3, 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 Betteravia Government Center, Board of Supervisors' Conference 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 August 27, 2013 Meeting****12:00 P.M. Recess to Closed Session****Report from Closed Session**COUNTY COUNSEL13-00009

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.

Resolutions to be Presented at 9:00 A.M.A-1) SUPERVISOR CARBAJAL13-00660

Adopt a Resolution of Commendation honoring Raul Orozco of the Alcohol, Drug and Mental Health Department as the County of Santa Barbara's September 2013 Employee of the Month.

Administrative Items**A-2) AUDITOR-CONTROLLER****[13-00667](#)**

Adopt a Resolution establishing the property tax rates and levying taxes for the taxing agencies in the County of Santa Barbara for the Fiscal Year 2013/2014.

A-3) COMMUNITY SERVICES**[13-00576](#)**

Consider recommendations regarding June 2013 Notice of Funding Availability (NOFA) for the use of unspent Community Development Block Grant (CDBG) funds for Capital Development Projects and Fiscal Year 2008/2009, 2009/2010, 2010/2011, 2011/2012, 2012/2013, and 2013/2014 Annual Action Plan Substantial Amendments, as follows:

a) Approve the Fiscal Year 2008/2009, 2009/2010, 2010/2011, 2011/2012, 2012/2013, and 2013/2014 Annual Action Plan Substantial Amendments for final submission to HUD;

b) Authorize the County Executive Officer or designee to execute all certifications, standard forms and other related documents required for CDBG Program administration and implementation for submittal to and approval by HUD of the Annual Action Plan Substantial Amendments; and

c) Determine that the approval of the Annual Action Plan Substantial Amendments is 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 physical impact on the environment, and direct staff to file the Notice of Exemption.

A-4) COMMUNITY SERVICES**[13-00651](#)**

Consider recommendations regarding shelter operations General Fund Grant Agreement for Good Samaritan Shelter, as follows:

a) Approve and authorize the Chair to execute a Shelter Operations General Fund Grant Agreement with Good Samaritan Shelter to support and maintain existing service levels at the Good Samaritan Emergency Shelter for the period of July 1, 2013 through June 30, 2014 in an amount not to exceed \$149,691.00; and

b) Determine that the approval and execution of the Shelter Operations General Fund Grant Agreement is 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 project is a 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 physical impact on the environment, and direct staff to file a Notice of Exemption.

A-5) COMMUNITY SERVICES[13-00666](#)

Approve the appointments of the following City representatives to serve on the Library Advisory Committee for a term of one year, or until discharged at the pleasure of the Board of Supervisors, as follows:

- a) Maureen Theobald as the City of Santa Maria Representative;
- b) Foster Markolf as the City of Carpinteria Representative;
- c) Judith Dale as the City of Buellton Representative; and
- d) Margaret Connell as the City of Goleta Representative.

A-6) COUNTY EXECUTIVE OFFICE, OFFICE OF EMERGENCY MANAGEMENT[13-00659](#)

Consider recommendations regarding Federal Fiscal Year (FFY) 2013 Homeland Security Grant Program, as follows:

- a) Adopt a Resolution authorizing the County Executive Officer and his/her Business Manager, the Emergency Operations Chief, the Homeland Security Program Emergency Manager to apply and enter into a Contract to accept a grant from the FFY 2013 Homeland Security Grant Program (HSGP) on behalf of the Santa Barbara Operational Area;
- b) Determine that the proposed action is related to the creation of a government funding mechanism and other fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline section 15378 (b)(4) and direct staff to file a Notice of Exemption; and
- c) Direct staff to return to the Board of Supervisors with the grant as part of the Office of Emergency Management's budget and work program request if the grant is awarded.

A-7) COUNTY EXECUTIVE OFFICE[13-00664](#)

Approve Budget Revision Requests (SEE EXHIBIT A WITH POSTED AGENDA). (4/5 Vote Required).

A-8) COUNTY EXECUTIVE OFFICE[13-00672](#)

Approve the Side Letter Agreement with the Sheriff's Managers Association (SMA) extending the delay of a previously-negotiated 3% wage increase to September 22, 2013.

A-9) PLANNING AND DEVELOPMENT[13-00674](#)

Consider recommendations regarding Coastal Commission's conditional certification of an Amendment to the Local Coastal Program regarding Commercial Telecommunication Facilities Ordinance Amendment, as follows:

- a) Receive notice of the California Coastal Commission's conditional certification of the County's amendment to the County's Local Coastal Program, Coastal Commission Case No. STB-MAJ-3-11-B, Commercial Telecommunication Facilities, with suggested modifications;
- b) Adopt a Resolution acknowledging receipt of the California Coastal Commission's conditional certification with modifications, accepting and agreeing to the modifications, agreeing to issue Coastal Development Permits for the total area included in the conditionally certified Local Coastal Program, and adopting the Local Coastal Program Amendments with the suggested modifications;
- c) Determine that the Board's action is not subject to the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.9. The County relied upon an Addendum, prepared March 4, 2011, to a previously adopted mitigated negative declaration 97-ND-02 for CEQA review of Case No. 11ORD-00000-00007, Commercial Telecommunication Facilities Ordinance Amendment;
- d) Approve and Authorize the Chair to execute a letter transmitting the Resolution to the California Coastal Commission; and
- e) Authorize the Planning and Development Department to transmit the adopted Resolution and Board letter to the California Coastal Commission.

A-10) PLANNING AND DEVELOPMENT[13-00673](#)

Consider recommendations regarding Coastal Commission's conditional certification of an Amendment to the Local Coastal Program regarding General Package Ordinance Amendment, as follows:

- a) Receive notice of the California Coastal Commission's conditional certification of the County's Amendment to the County's Local Coastal Program, Coastal Commission Case No. STB-MAJ-3-11-A, General Package, with suggested modifications;
- b) Adopt a Resolution acknowledging receipt of the California Coastal Commission's conditional certification with modifications, accepting and agreeing to the modifications, agreeing to issue Coastal Development Permits for the total area included in the conditionally certified Local Coastal Program, and adopting the Local Coastal Program Amendments with the suggested modifications;
- c) Determine that the Board's action is not subject to the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.9. The County relied upon CEQA Guidelines Section 15061(b)(3) (No Possibility of Significant Effect) for CEQA review of Case No. 11ORD-00000-00014, General Package Ordinance Amendment;
- d) Approve and authorize the Chair to execute a letter transmitting the Resolution to the California Coastal Commission; and
- e) Authorize the Planning and Development Department to transmit the adopted Resolution and Board letter to the California Coastal Commission.

A-11) PUBLIC HEALTH[13-00676](#)

Consider recommendations regarding Health Resources and Services Administration Health Center Outreach and Enrollment Supplemental Funding, as follows: (4/5 Vote required)

- a) Authorize the Public Health Department Director to accept and receive Grant Award 6 H80CS00046-12-04 from the Department of Health and Human Services Health Resources and Services Administration (HRSA) for Healthcare Center Outreach and Enrollment Assistance for 2013 for the period July 1, 2013 through June 30, 2014 in amount of \$233,680.00;
- b) Approve Budget Revision Request No. 0003078 reflecting \$233,680.00 of unanticipated revenue from the Federal government for Health Resources and Services Administration supplemental funding grant and increasing Services and Supplies (\$233,680.00) for Fiscal Year 2013/2014 in the County's financial system; and
- c) Determine that these activities are exempt from California Environmental Quality Act (CEQA) 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-12) PUBLIC WORKS [13-00668](#)

Consider recommendations regarding Hearts Therapeutic Riding Academy Lease Amendment, Second District, as follows:

- a) Approve and authorize the Chair to execute the Lease Amendment between the County of Santa Barbara and the Hearts Therapeutic Equestrian Center, AKA Hearts Adaptive Riding Program, a local nonprofit organization; and
- b) Find that the recommended Lease Amendment is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15301, as it is for the operation and leasing of existing facilities involving negligible or no expansion of use.

A-13) PUBLIC WORKS [13-00670](#)

Consider recommendations regarding a parking restriction on Saint Joseph Street, Third District, as follows:

- a) Adopt a Resolution establishing a “No parking” zone on Saint Joseph Street in the Los Alamos area; and
- b) 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(c), and approve the filing of a Notice of Exemption on that basis.

A-14) SHERIFF [13-00661](#)

Authorize the Purchasing Agent to procure aviation parts and services for the Sheriff Office as a sole source procurement without being required to conduct a formal bid process for the period ending September 30, 2013.

Board of Supervisors**A-15) SUPERVISOR WOLF [13-00662](#)**

Approve the reappointment of Judith E. Koper to the Assessment Appeals Board No. 2, term ending September 1, 2016, Second District.

Hearing Requests**A-16) PUBLIC WORKS**[13-00669](#)

Set a Hearing to consider recommendations regarding solid waste collection rate adjustments for Zones 4 and 5 in the North County, Third, Fourth and Fifth Districts, as follows:
(Set hearing for September 10, 2013. Time estimate: 30 minutes)

- a) Adopt a Resolution, effective October 1, 2013, adjusting the fee schedule for solid waste collection rates in the unincorporated areas of Zone 4 and Zone 5 for Fiscal Year 2013/2014;
- b) Approve and authorize the Chair to execute an amendment to the exclusive franchise Agreements for solid waste collection services in Zones 4 and 5 to modify Article 18 - Transfer and Amendments, in order to nullify the rate change in Exhibit 1 in the event of a sale, assignment or transfer; and
- c) Find that the proposed action is for the establishment of solid waste collection rates by the County for the purpose of meeting operating expenses; that no expansion of services or facilities will result; that the proposed action is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15273(a)(1); and approve the filing of a Notice of Exemption on that basis.

A-17) PUBLIC WORKS[13-00671](#)

Set a hearing to consider recommendations regarding a Project Study Report for Hollister Avenue - State Street Improvements; Public Works Project No. 863035, Second District, as follows:

(Set hearing for September 17, 2013. Time estimate: 30 minutes)

- a) Receive and file the Project Study Report and staff recommendations for Hollister Avenue - State Street Improvements project between San Antonio Road and State Route 154, just west of the City of Santa Barbara, California County Project No. 863035;
- b) Authorize the Director of Public Works to continue project development including the environmental review phase for Alternative No. 1 with signaled intersections; and
- c) Find that the proposed actions(s) are statutorily exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15262, as they involve a planning study for possible future actions, which the Board has not approved, adopted, or funded, and approve the filing of a Notice of Exemption on that basis.

ADDENDUM

Item A-18) is added to the Administrative Agenda, as follows:

Administrative Item

A-18) COUNTY COUNSEL

[13-00657](#)

Approve and authorize the County Counsel to execute a Contract for services with Neilsen, Merksamer, Parrinello, Gross and Leoni, LLP as outside counsel in an amount not to exceed \$25,000.00. (4/5 Vote Required)

Approval of Administrative Agenda

Departmental Agenda
Planning Items and Public Hearings

1) GENERAL SERVICES

[13-00665](#)

HEARING - Consider recommendations regarding Amendment No. 1 to the Professional Services Agreement with Kitchell/CEM, Inc. to provide Commissioning Services for the Northern Branch Jail Project, Third District, as follows: (EST. TIME: 30 MIN.)

a) Approve and authorize the Chair to execute Amendment No. 1 to the Professional Services Agreement (PSA) for Construction Management and Related Professional Services with Kitchell/CEM, Inc., to provide commissioning services for the Northern Branch Jail Project over a 6-year period, increasing the maximum compensation limit by \$152,660.00 for a new limit of \$2,422,660.00;

b) Approve and authorize the Chair to execute the “Agreement Clarifying the County of Santa Barbara’s Potential Obligation to Refund State Financing for the County of Santa Barbara’s Northern Branch Jail Project,” concerning the Board of State and Community Corrections Jail Construction Agreement that the County re-executed on May 14, 2013. (Once executed by both the County and the Board of State and Community Corrections, this will rule out any obligation for the County to refund State financing for the Northern Branch Jail Project if, through no fault of the County, the State Public Works Board does not issue bonds to finance the Northern Branch Jail Project.); and

c) After considering the Final Subsequent Environmental Impact Report (EIR) that the Board of Supervisors certified on March 11, 2008, and the Addendum to that EIR that the Board of Supervisors received and considered on December 6, 2011, determine pursuant to 14 CCR 15162(a) that no subsequent EIR or Negative Declaration is required for this project because of the following: 1) No substantial changes are proposed in the project which require major revisions of the 2008 Final Subsequent EIR; 2) No substantial changes have occurred, with respect to the circumstances under which the project is undertaken, which require major revisions of the 2008 Final Subsequent EIR; and 3) No new information of substantial importance concerning the project’s significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the Final Subsequent EIR was certified in 2008, has been received.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

2) PLANNING AND DEVELOPMENT

[13-00663](#)

HEARING - Consider recommendations regarding Coastal Resource Enhancement Fund (CREF) 2014 Cycle, as follows: (EST. TIME: 15 MIN.)

a) Receive and file the annual CREF Status Report; and

b) Direct staff to commence the 2014 CREF cycle.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

3) PLANNING AND DEVELOPMENT[13-00509](#)

HEARING - Consider recommendations regarding Case No. 13APL-00000-00012, the appeal filed by the applicant, Patrick Nesbitt, of the County Planning Commission's denial of the Montecito Ranch Estates Recorded Map Modification and Lot Line Adjustment project, Case Nos. 10RMM-00000-00001 and 11LLA-00000-00008, 2700 Via Real in the Summerland area, APN 005-210-061, and -064 through -068, First District, as follows: (EST. TIME: 45 MIN.)

- a) Make the required findings for denial of the project, including CEQA findings;
- b) Determine the project denial to be exempt from CEQA pursuant to Guideline Section 15270; and
- c) Deny the appeal, Case No. 13APL-00000-00012, thereby affirming the County Planning Commission's denial of the project, Case Nos. 10RMM-00000-00001 and 11LLA-00000-00008.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

4) COUNTY EXECUTIVE OFFICE[13-00658](#)

HEARING - Consider recommendations regarding responses to 2012/2013 Grand Jury Reports, as follows: (EST. TIME: 30 MIN.)

- a) Consider and adopt responses as the Board of Supervisors' responses to the Grand Jury Report entitled Sheriff-Coroner's Bureau: The Manner of Death-A Final Diagnosis;
- b) Consider and adopt responses as the Board of Supervisors' responses to the Grand Jury Report entitled Law Enforcement and Detention Facilities Report;
- c) Consider and adopt responses as the Board of Supervisors' responses to the Grand Jury Report entitled Taxing Oil: Tapping into Santa Barbara County's Natural Wealth; and
- d) Approve and authorize the Chair to execute letters and forward the responses to the Presiding Judge.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

5) COUNTY EXECUTIVE OFFICE[13-00643](#)

HEARING - Receive an update from Saul Serrano, Task Force Coordinator, regarding activities of the South Coast Gang Task Force on Youth Gangs. (EST. TIME: 20 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Adjourn to**Tuesday, September 10, 2013****Joseph Centeno Betteravia Government Administration Building****Board Hearing Room****511 East Lakeside Parkway****Santa Maria****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, September 3, 2013 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, September 5, 2013, at 5:00 PM and on Saturday, September 7, 2013, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>