

County of Santa Barbara
BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, March 3, 2015

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.

9:00 A.M. Convened to Regular Session

Roll Call

Present: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

Pledge of Allegiance

Approval of Minutes of the February 17, 2015 Meeting

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, to Approve the Minutes. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

12:00 P.M. Recessed to Closed Session

Report from Closed Session

No reportable action taken.

[15-0009](#)

Closed Session Agenda

In the matter of Hctor, et al. v. County of Santa Barbara, et al, County Counsel reported that by a vote of 4:1, with Supervisors Carbajal, Farr, Adam and Lavagnino voting Yes and Supervisor Wolf voting No, the Board of Supervisors authorized and directed the Board Chair to execute a Conditional Settlement Agreement summarized as follows::

The County expressly reserved its police power to approve or deny the Revised Beach Club Project at a noticed public hearing;

If the Board at the noticed public hearing approves one Coastal Development permit to legalize unpermitted work on-site, the Petitioner will dismiss the pending litigation and withdraw their applications for a lot split and another Coastal Development Permit to construct a single family residence;

If the Board at the noticed public hearing does not approve the Revised Project, the Conditional Settlement Agreement becomes void; and

Copies of the Conditional Settlement Agreement are available at Office of County Counsel.

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) (15-00001)

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

RE: Update on Agricultural Youth, Families and Communities in Santa Barbara County - Mary Bianchi addressed the Board.

RE: Child Abuse / Foster Care issues - Dr. Robert L. Johns addressed the Board.

RE: Releases of Bradbury Reservoir - Andy Caldwell addressed the Board

County Executive Officer's Report

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 WOLF 15-00190

Adopt a Resolution of Commendation honoring Janie Taylor of the Sheriff’s Office as the March 2015 Employee of the Month in Santa Barbara County.

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

RESOLUTION NO. 15-49

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

A-2) SUPERVISOR LAVAGNINO 15-00188

Adopt a Resolution recognizing March 7th, 2015 as Arbor Day in Santa Barbara County.

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

RESOLUTION NO. 15-50

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

Administrative Items**A-3) COMMUNITY SERVICES****15-00194**

Consider recommendations regarding a Memorandum of Understanding (MOU) Between County of Santa Barbara and the University of California Santa Barbara (UCSB) for Funding Isla Vista Bluff Top Fence, Third District, as follows: (4/5 Vote Required)

- a) Accept \$70,000.00 in funding from UCSB pursuant to Cal. Gov. Code Section 25355 to fund the installation of a fence over several parcels of land owned by both the County of Santa Barbara and the Isla Vista Recreation and Park District;
- b) Authorize the Community Services Director to execute the MOU between the County of Santa Barbara and UCSB;
- c) Approve Budget Revision Request No. 0003802; and
- d) Determine that the proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(e) and 15301(l) (4) for new construction or conversion of small structures as the project consists of the installation of new or demolition or replacement of existing accessory structures such as fencing and direct staff to file a Notice of Exemption.

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

- a) Accepted;**
- b) Authorized; and**
- c) and d) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

A-4) COUNTY EXECUTIVE OFFICE[15-00048](#)

Consider recommendations regarding Re-Ratification of the Drought Proclamation passed February 3, 2015, (Sixteenth Thirty-Day Renewal), as follows:

- a) Adopt a Resolution re-ratifying the Proclamation of a Local Emergency for Drought and Water Supply Conditions that exist in Santa Barbara County pursuant to Government Code Section 8630(c);
- b) Direct the Office of Emergency Management to return monthly for re-ratification of the Emergency until such a time that weather and water supply conditions dictate otherwise; and
- c) Determine that this project was found by your Board to be exempt from the provisions of California Environmental Quality Act (CEQA) pursuant State CEQA Guidelines Sections 15061(b) (3) and 15269(a), and that the proposed actions are within the scope of the prior CEQA exemption.

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

a) Adopted.

RESOLUTION NO. 15-51

b) Directed; and

c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

A-5) COUNTY EXECUTIVE OFFICE[15-00181](#)

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

A motion was made by Supervisor Lavagnino, seconded by Supervisor Carbajal, that this matter be Approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

A-6) COUNTY EXECUTIVE OFFICE15-00196

Consider amending the 2015 meeting schedule of the Board of Supervisors by changing the location of the April 14, 2015 meeting from Santa Maria to Santa Barbara and changing the location of the April 21, 2015 meeting from Santa Barbara to Santa Maria.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Carbajal, that this matter be Approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

A-7) PLANNING AND DEVELOPMENT15-00183

Consider recommendations regarding authorization of an Agreement for Services with Aspen Environmental Group to complete an Environmental Impact Report for the ERG Operating Company West Cat Canyon Revitalization Plan project, Fourth and Fifth Districts, as follows:

a) Approve and authorize the Chair to execute an Agreement for Services with Aspen Environmental Group to complete an Environmental Impact Report for the ERG Operating Company West Cat Canyon Revitalization Plan Project for the period of March 3, 2015 through March 3, 2016 in an amount not to exceed \$241,714.00, which includes a base cost of \$210,186.00 as proposed by the contractor and a 15 percent contingency cost of \$31,528.00; and

b) Determine that this action is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5), which exempts organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment.

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

a) Approved; Chair to execute; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

A-8) PUBLIC HEALTH15-00191

Consider recommendations regarding the Public Health Laboratory Information System (LIS) from Orchard Software, as follows: (4/5 Vote required)

- a) Approve and authorize the Chair to execute a Contract with Orchard Software Corporation for a Laboratory Information System, not to exceed \$294,110.00 for the period of March 1, 2015 to December 31, 2016;
- b) Approve Budget Revision Request No. 0003786 reflecting a transfer of \$251,945.00 of salary savings to services and supplies and fixed assets for Fiscal Year 2014-2015 for the one time purchase of a new laboratory information system; and
- c) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15378(b)(4) since the recommended actions are government fiscal activities which do not involve commitment to any specific project which may result in potentially significant physical impact on the environment.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Continued, as follows: March 10, 2015 Santa Maria. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

A-9) PUBLIC HEALTH15-00192

Consider recommendations regarding an amendment to the 340B Pharmacy Services Agreement with AmerisourceBergen Drug Company, as follows:

a) Approve and authorize the Chair to execute the Fourth Amendment to the AmerisourceBergen Drug Company Prime Vendor Agreement to supply reimbursement for 340B medications dispensed to eligible County patients at participating 340B retail pharmacies including Walgreens Company. This Agreement will terminate on June 30, 2015; and

b) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(4), since this is a government fiscal activity that does not involve commitment to a specific project that may result in a potentially significant physical impact on the environment.

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

a) Approved; Chair to execute; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

A-10) PUBLIC WORKS15-00186

Consider recommendations regarding approval of Final Map of Tract No. 14,768, Boulders-Park Hill Estates v.2, 10TRM-00000-00001, Second District, as follows:

- a) Approve the Final Map of Tract No. 14,768;
- b) Require the subdivider to post a certified check in the amount of \$17,420.00 to guarantee the setting of the interior monumentation for Tract No. 14,768, pursuant to Section 66496 of the State Subdivision Map Act;
- c) Accept on behalf of the Public, pending recordation of Final Map of Tract No. 14,768, the offers of dedication for the 821 square feet of land for Public Road Easement and Public Utility purposes; and Easements for Public Utility purposes as shown on said map, and authorize the Clerk of the Board to endorse the Final Map of Tract No. 14,768 accepting said Easements as defined on said map; consummation of the acceptance of Easements for Public Road Easement and Public Utility Purposes is subject to recordation of the subject Map;
- d) Accept the Waiver of Abutter's Access Rights to Pennell Road pending recordation of Final Map of Tract No. 14,768, and authorize the Clerk of the Board to endorse the Final Map of Tract No. 14,768 accepting said Waiver of Abutter's Access Rights to Pennell Road as defined on said map; consummation of the acceptance of the Waiver of Abutter's Access Rights to Pennell Road is subject to recordation of the subject Map; and
- e) Find that no new effects will occur and no new mitigation measures would be required as a result of Board's authorization to accept the offer of dedication, and therefore pursuant to California Environmental Quality Act (CEQA) Section 15162, that action is within the scope of the project covered by the Final Mitigated Negative Declaration for "Boulders-Park Hill Estates v.2" development (11NGD-00000-00013) as adopted by the Santa Barbara County Board of Supervisors on July 9, 2013, and no new environmental document is required.

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

- a) and b) Approved;**
- c) and d) Accepted; and**
- e) Approved.**

The motion carried by the following vote:

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

Recused: 1 - Supervisor Wolf

A-11) PUBLIC WORKS[15-00189](#)

Consider recommendations regarding a Statement of Final Quantities for Construction of 2014-2015 Hot Mix Asphalt Overlay, County Project No. 820650, First, Third and Fourth Districts, as follows:

- a) Approve and authorize the Chair to execute the Statement of Final Quantities for construction of 2014-2015 Hot Mix Asphalt Overlay, County Project No. 820650, for work performed and materials supplied by CalPortland Construction, (a local vendor), 1625 E. Donovan Road, Santa Maria, CA, 93454, in the amount of \$860,672.86; and
- b) Determine that this project was found by your Board to be exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 on September 16, 2014, upon approval of the project, that a Notice of Exemption was filed on that basis, and that the proposed action is within the scope of the Notice of Exemption.

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

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

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

A-12) SHERIFF[15-00184](#)

Approve and authorize the Chair to execute an Application for Destruction of Jail Records, no longer required by law to be maintained. (4/5 Vote Required)

A motion was made by Supervisor Lavagnino, seconded by Supervisor Carbajal, that this matter be Approved; Chair to Execute. The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

Hearing Requests**A-13) PLANNING AND DEVELOPMENT****15-00185**

Set a hearing to consider the Resolution of the Appeal (Case No. 13APL-00000-00029), the Summerland Citizens' Association, Reeve Woolpert, and Tom Evans' Appeal of the County Planning Commission's approval of the Beach Club Project (Case Nos. 12TPM-00000-00006, 11CDH-00000-00006, and 11CDH-00000-00054), consistent with the Conditional Settlement Agreement, First District, as follows
(Set hearing for March 17, 2015. Time estimate: 1 hour)

- a) Conduct a public hearing on the Appeal, Case No. 13APL-00000-00029, of the County Planning Commission's approval of Case Nos. 12TPM-00000-00006, 11CDH-00000-00006, and 11CDH-00000-00054;
- b) Make the required findings for approval of the revised project, Case No 11CDH-00000-00006, including California Environmental Quality Act (CEQA) findings;
- c) Adopt the Proposed Revised Final Mitigated Negative Declaration 13NGD-00000-00012 and adopt the mitigation monitoring program included in the Revised Conditions of Approval; and
- d) Grant de novo approval of Case No. 11CDH-00000-00006, thereby affirming in part and modifying in part the decision of the Planning Commission subject to the Revised Conditions of Approval, thereby resolving the Appeal, Case No. 13APL-00000-00029.

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

Trailed matter until the conclusion of Closed Session.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be set for a hearing, as follows: March 17, 2015 in Santa Barbara (EST. TIME: 1 HR.). The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE 15-00182

HEARING - Consider recommendations regarding Proposition 47 - The Safe Neighborhoods and Schools Act, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file a presentation regarding updates and impacts to departments of Proposition 47 - The Safe Neighborhoods and Schools Act; and
- b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines, because they consist of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 9:40 AM - 11:17 AM (1 HR. 37 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Received and filed. Directed the County Executive Officer to form and ad-hoc committee consisting of representatives from the County Criminal Justice Departments as well as ADMHS. Further directed the committee to analyze and track the trends and impacts of Proposition 47, to look for opportunities for budget savings and to provide quarterly updates to the Board on the Administrative Agenda or as appropriate.**

The motion carried by the following vote:

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

Noes: 1 - Supervisor Adam

2) COMMUNITY SERVICES 15-00177

HEARING - Consider recommendations regarding amendments to "Chapter 7A -Percent for Arts Program" of the Santa Barbara County Code, as follows: (EST. TIME: 15 MIN.)

- a) Receive and file a presentation regarding proposed amendments to Chapter 7A - Percent for Arts Program;
- b) Consider the introduction (first reading) of an Ordinance amending Chapter 7A of the Santa Barbara County Code;

- c) Read the title of the Ordinance into the record and waive full reading of the Ordinance; and
- d) Set a hearing on the Administrative Agenda of March 17, 2015 to consider recommendations, as follows:
- i) Consider the adoption (second reading) of an Ordinance amending Chapter 7A of the Santa Barbara County Code;
 - ii) Adopt the amended "Percent for Arts Guidelines";
 - iii) Adopt a Resolution to amend "Percent for Arts Guidelines"; and
 - iv) Determine that adoption of an Ordinance amending Chapter 7A of the Santa Barbara County Code is 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 activity may have a significant impact on the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 11:35 AM - 11:37 AM (2 MIN.)

Received and filed staff presentation and conducted public hearing

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

a) Received and filed.

b) and c) Read title, waived further reading of the Ordinance. Introduction approved; Second Reading (adoption) set for March 17, 2015 on the Administrative Agenda in Santa Barbara. Directed that the attached guidelines be amended to replace "Public Works" with "the County Department managing the project".

d) i - iv) Set for March 17, 2015 on the Administrative Agenda in Santa Barbara.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Adam

3) COUNTY EXECUTIVE OFFICE[15-00155](#)

HEARING - Consider recommendations regarding a Renewal Consent Resolution for the Santa Ynez Valley Tourism Business Improvement District (SYVTBID), as follows: (EST. TIME: 30 MIN.)

- a) Adopt a Resolution granting consent from the County of Santa Barbara to the City of Solvang to renew the Santa Ynez Valley Tourism Business Improvement District (SYVTBID); and
- b) Determine that the above action does not involve any commitment to any specific project which may result in potentially significant impact on the environment, and therefore it is 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: POLICY

HEARING TIME: 11:38 AM - 11:59 AM (21 MIN.)

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

a) Adopted.

RESOLUTION NO. 15-52

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

4) SUPERVISOR FARR

15-00193

HEARING - Consider recommendations regarding Completion of Pescadero Lofts Affordable Housing Project, Isla Vista, Third District, as follows: (EST. TIME: 30 MIN.)

a) Receive and file a presentation regarding the completion of Pescadero Lofts Affordable Housing Project; and

b) Find that the proposed actions do not constitute a “Project” within the meaning of the California Environmental Quality Act, pursuant to 14 CRR 15378(b)(2), as they consist of general policy and procedure making.

HEARING TIME: 11:59 AM - 12:51 PM (52 MIN.)

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

a) Received and filed presentation; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

Adjourned at 12:51 PM

The Santa Barbara County Board of Supervisors Adjourned the Meeting of March 3, 2015 in Honor of Dr. Ron Faoro of Santa Barbara and Dr. Erno Daniel of Santa Barbara

Adjourned to

Tuesday, March 10, 2015

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, March 3, 2015 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, March 5, 2015, at 5:00 PM and on Saturday, March 7, 2015, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>