

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Salud Carbajal, Vice-Chair

Second District - Janet Wolf

Third District - Doreen Farr, Chair

Fourth District - Joni Gray

Fifth District - Steve Lavagnino

Chandra L. Wallar, County Executive Officer

Agenda

Tuesday, November 6, 2012

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 Hearing Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.

Board Meeting Procedures

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

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

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

Late Distribution

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

Disability Access

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

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

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

Closed Session

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

9:00 A.M. Convene to Regular Session**Roll Call****Presentation of Colors and Pledge of Allegiance by Vandenberg Air Force Base Honor Guard****Approval of Minutes of the October 16, 2012 Meeting****Approval of Minutes of the October 30, 2012 Special Meeting****Recess to Closed Session at Conclusion of Departmental Agenda****Report from Closed Session**COUNTY COUNSEL[12-00009](#)

Closed Session Agenda

Public Comment Period

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (12-00001)

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

Administrative Agenda

All matters listed hereunder constitute a consent agenda, and will be acted upon by a single roll call vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board or the public, in which event the matter shall be removed from the administrative agenda and considered as a separate item.

Resolutions to be Presented at 9:00 A.M.**A-1) SUPERVISOR FARR**[12-00836](#)

Adopt a Resolution of Commendation honoring Bea Marroquin and Tara Braun of the Department of Social Services as the November 2012 County of Santa Barbara Employees of

the Month.

Reception to Follow in Board of Supervisor's Conference Room

- A-2) SUPERVISOR CARBAJAL [12-00833](#)

Adopt a Resolution proclaiming Santa Barbara County as a Purple Heart County in honor of the men and women who have honorably served our country and our community in the Armed Forces.

Honorary Resolutions

- A-3) SUPERVISOR CARBAJAL [12-00829](#)

Adopt a Resolution of Commendation honoring Sergeant Major Robert Forties upon receiving the 2012 Military Ball of Santa Barbara Greatest Generation Award.

- A-4) SUPERVISOR CARBAJAL [12-00830](#)

Adopt a Resolution of Commendation honoring Private Arthur Petersen upon receiving the 2012 Military Ball of Santa Barbara Greatest Generation Award.

- A-5) SUPERVISOR CARBAJAL [12-00831](#)

Adopt a Resolution of Commendation honoring Bill Palladini as the 2012 Montecito Association Citizen of the Year.

- A-6) SUPERVISOR GRAY [12-00844](#)

Adopt a Resolution proclaiming November 2012 as National Native American Heritage Month in Santa Barbara County.

- A-7) SUPERVISOR GRAY [12-00845](#)

Adopt a Resolution recognizing Danny Ray Macagni for his fourteen years of service to the Advisory Board on Alcohol and Drug Problems.

Administrative Items

- A-8) AUDITOR-CONTROLLER [12-00851](#)

Receive and file the Auditor-Controller's Review Report on the Statement of Assets of the Santa Barbara County Treasurer's Investment Pool, as of September 30, 2012.

A-9) COMMUNITY SERVICES**12-00841**

Consider recommendations regarding the Summerland Greenwell Preserve Lease Agreement, Summerland Citizens Association, First District, as follows: (4/5 Vote Required)

- a) Determine that the services provided by the Summerland Citizens Association are necessary to meet the social needs of the County, pursuant to California Government Code Section 26227;
- b) Determine that the County-owned property located in the Town of Summerland and known as the Summerland Greenwell Preserve on Greenwell Avenue, Assessor Parcel Number 005-080-004, will not be needed for County purposes;
- c) Approve and authorize the Chair to execute the Lease Agreement between the County of Santa Barbara and the Summerland Citizens Association, a California non-profit association, to operate, maintain and repair the Summerland Greenwell Preserve in Summerland, California for a period of twenty (20) years with optional extensions of three (3) additional one (1) year periods at the mutual agreement of the Summerland Citizens Association and the Director of Community Services;
- d) Approve the payment of \$36,320.00 from County Service Area 11 over the next three years for one-time deferred maintenance that includes the removal of non-native plants, maintenance of native plants and also the completion of an existing wall, and with an annual reimbursement in an amount not to exceed \$3,120.00 from County Service Area 11 for ongoing maintenance, nursery management, and administration, including utilities and waste holding tank maintenance as outlined in the Lease Agreement; and
- e) Determine that the Board's approval of the Lease Agreement is exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15301, finding that the project is for the operation, repair, maintenance, leasing, licensing, or minor alteration of existing public structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the Board's determination and direct staff to file the Notice of Exemption.

A-10) COUNTY EXECUTIVE OFFICE**12-00828**

Consider recommendations regarding the process to fill a public member vacancy on the Guadalupe and the Santa Maria Successor Agency Oversight Boards, as follows:

- a) Receive and file a report on the process to fill public member vacancies on the Guadalupe and the Santa Maria Successor Agency Oversight Boards;
- b) Approve and direct the County Executive Officer to implement the process to fill the vacancies; and
- c) Determine pursuant to CEQA Guideline Section 34178(b)(2) that the above actions are not a project subject to the California Environmental Quality Act.

A-11) DISTRICT ATTORNEY[12-00838](#)

Receive and file a report on the District Attorney Truancy Program, including the signed Memorandum of Understanding with the school districts and the signed Addendum to the Memorandum of Understanding with County departments and community organizations, all of which are participating with the County of Santa Barbara in the truancy prevention partnership program.

A-12) GENERAL SERVICES[12-00849](#)

Consider recommendations regarding the Calle Real Solar Project, Endelos Energy, Inc.'s First Amendment to Contract, Second District, as follows:

a) Approve and authorize the Chair to execute Amendment No. 1 to the Contract with Endelos Energy, Inc. (a local vendor) for the Calle Real Solar project, increasing the total contract value to \$5,185,568.00 to cover an additional \$169,906.64 in scope change which is currently budgeted;

b) Find that pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15162, no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the project nor the sufficiency or feasibility of mitigation measures, and therefore such actions are within the scope of the project covered by the Mitigated Negative Declaration and monitoring program approved and adopted by the Board on June 7, 2011; and

c) Approve Budget Revision Request No. 0002605 for \$72,584.00 to cover ancillary expenses related to the project.

A-13) PLANNING AND DEVELOPMENT[12-00835](#)

Receive and file a report on Emergency Permit 12EMP-00000-00005, issued September 6, 2012, which authorized the temporary relocation of four trailers (three trailers used as offices and one trailer used as a laboratory) outside the blast zone of the POPCO Gas Processing Facility and the ExxonMobil Oil Treatment Plant, Assessor Parcel Number 081-220-014, in the Las Flores Canyon at 12050 Calle Real, near U.S. Highway 101, Third District.

A-14) PLANNING AND DEVELOPMENT[12-00832](#)

Consider recommendations regarding the participation in Memorandum of Agreement with United States Forest Service and USDI Bureau of Land Management, as follows:

- a) Adopt a Resolution that designates the Director of Planning and Development as the County contact for land use and planning issues for the United States Forest Service (USFS) and Bureau of Land Management (BLM) so as to participate in the Memorandum of Agreement (MOA) dated July 23, 2012 among the USFS, BLM, California State Association of Counties (CSAC), and Regional Council of Rural Counties (RCRC); and
- b) Determine that the above action is not a “project” and thus not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15378(b)(5) and direct staff to file a Notice of Exemption.

Department requests continuance of Administrative Item No. 15) to December 4, 2012.

A-15) PUBLIC HEALTH[12-00802](#)

Consider recommendations regarding an Agreement for Emergency Air Medical Transport Services with California Shock Trauma Air Rescue (CALSTAR), as follows:

- a) Approve and authorize the Chair to execute an Agreement with CALSTAR to provide non-exclusive emergency air ambulance transport services within the County of Santa Barbara for a three (3) year period, with an option for two, 1-year extensions;
- b) Authorize the Emergency Medical Services (EMS) Agency Director to approve up to two, 1-year extensions to this Agreement based upon a positive recommendation from the Contract Compliance Committee; and
- c) 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-16) PUBLIC HEALTH[12-00850](#)

Consider recommendations regarding Grant Agreement No. 12-048-250 for Ocean Water Quality Monitoring & Public Notification Services, as follows:

- a) Approve and authorize the Public Health Department Director to enter into a Grant Agreement, No.12-048-250, with the State of California to provide public beach water quality monitoring and public notification services in the amount of \$75,361.00 for the period July 1, 2012 through September 30, 2013; 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-17) PUBLIC WORKS[12-00846](#)

Consider recommendations regarding a Seismic Retrofit of the San Marcos Road Bridge, No. 51C-002, at Maria Ygnacia Creek, Federal Project No. BRLSZD-5951(090), County Project No. 862275, Second District, as follows:

- a) Approve and authorize the Chair to execute the Statement of Final Quantities for the Seismic Retrofit of the San Marcos Road Bridge, No. 51C-002, at Maria Ygnacia Creek in the Second District, Federal Project No. BRLSZD-5951(090), County Project No. 862275 for work performed and materials supplied by Brough Construction, Inc., in the amount of \$709,923.35; and
- b) Find that the proposed actions are administrative activities that do not constitute a "Project" within the meaning of CEQA, pursuant to 14 CCR 15378(b)(2), that the proposed actions are therefore exempt from CEQA, and approve the filing of Notice of Exemption and the Statement of Final Quantities, on that basis.

A-18) PUBLIC WORKS[12-00847](#)

Approve and authorize the Chair to execute the Statement of Final Quantities for the Construction of Retaining Walls on Gibraltar Road MP 0.2 and MP 0.5 and on Tunnel Road MP 0.7 (FEMA 10STORM Disaster Sites 1A02, 1A03 and 1A04), County Project No. 862347, for work performed and materials supplied by Brough Construction, Inc., in the amount of \$363,132.73, First District.

A-19) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT[12-00842](#)

Acting as the Board of Directors, Flood Control and Water Conservation District:

Consider recommendations regarding the Lillingston Canyon Debris Basin Phase 2 Removal Project Completion, First District, as follows:

- a) Adopt a Resolution establishing the Final Quantities for work performed and materials supplied for the Lillingston Canyon Debris Basin Phase 2 Removal Project by the contractor AIS Construction Company in the amount of \$156,177.50; and
- b) Find that pursuant to the California Environmental Quality Act (CEQA) 14 CCR, Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the project and therefore pursuant to CEQA Section 15168 (2) Program EIR, that the Lillingston Canyon Debris Basin Project is within the scope of the project covered by the Program Environmental Impact Report (PEIR) for the Updated Routine Maintenance Program (01-EIR-01), Findings, and Statement of Overriding Considerations approved in December, 2001, and the Lillingston Debris Basin addendum to the PEIR approved June 15, 2010, and no new environmental document is required.

A-20) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [12-00843](#)

Acting as the Board of Directors, Flood Control and Water Conservation District:

Consider recommendations regarding the Carpinteria Salt Marsh, Franklin Creek Channel Wall Extension Project Final Quantities, First District, as follows:

a) Adopt a Resolution establishing the final quantities for work performed and materials supplied for the Carpinteria Salt Marsh, Franklin Creek Channel Wall Extension Project by the contractor Brough Construction, Inc. in the amount of \$146,775.15; and

b) Find that pursuant to the California Environmental Quality Act (CEQA) 14 CCR, Section 15162, no substantial changes are proposed in the project, no new effects will occur and no new mitigation measures would be required as a result of the proposed action and therefore pursuant to CEQA Section 15162, the Carpinteria Salt Marsh, Franklin Creek Channel Wall Extension Project is within the scope of the project covered by the EIR No. 2003021016 for the Carpinteria Salt Marsh Enhancement Plan as well as the Findings approved by the Board July 15, 2003, and no new environmental document is required.

A-21) SHERIFF [12-00834](#)

Approve the purging and disposal of certain Civil records. (4/5 Vote Required.)

A-22) TREASURER-TAX COLLECTOR [12-00837](#)

Receive and file the Fiscal Year 2012/2013 First Quarter, July 2012 through September 2012, Report on the Treasurer's Investment Pool, pursuant to Government Code section 53646(b).

Board of Supervisors

A-23) SUPERVISOR CARBAJAL [12-00840](#)

Approve the reappointment of Melissa Walker to the Commission for Women, term ending November 6, 2015, First District.

A-24) SUPERVISOR WOLF [12-00839](#)

Approve the appointment of Lauren Saltman to the Human Services Commission, term ending November 6, 2015, Second District.

A-25) SUPERVISOR FARR [12-00854](#)

Approve the appointment of Sharyne Merritt to the Agricultural Advisory Committee, term ending December 31, 2012, Third District.

Approval of Administrative Agenda

Departmental Agenda
Planning Items and Public Hearings

Department requests continuance of Departmental Item No. 1) to November 13, 2012.

- 1) COUNTY EXECUTIVE OFFICE [12-00853](#)

HEARING - Accept the Fiscal Year 2013-2015 Financial Outlook Report and receive a presentation on the economic context and impending financial challenges faced by the County in Fiscal Years 2013-2015 and subsequent years. (EST. TIME: 45 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION:

Department requests continuance of Departmental Item No. 2) to November 13, 2012.

- 2) 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's approval of a Verizon Wireless Facility at the Montecito Switch Station located at 512 Santa Angela Lane in the Montecito area, APN 011-200-015 and 011-200-016, Case No. 12CUP-00000-00007, First District, as follows: (EST.TIME: 1 HR. 30 MIN.)

- 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 California Environmental Quality Act (CEQA) findings;
- c) Determine that 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 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 of the Montecito Planning Commission Staff Report dated May 4, 2012.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION:

- 3) PROBATION [12-00848](#)

HEARING - Receive and file the Public Safety Realignment Operational Impact Reports for July through September 2012. (EST. TIME: 20 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

- 4) SANTA BARBARA COUNTY EMPLOYEE'S RETIREMENT SYSTEM [12-00852](#)

HEARING - Receive and file a presentation from the Santa Barbara County Employees' Retirement System ("SBCERS") regarding the funding status of the Plan, and the impact of the recent Pension Reform Act on the members. (EST. TIME: 45 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Adjourn to

November 13, 2012

County Administration Building

Board Hearing Room

105 East Anapamu Street , Fourth Floor

Santa Barbara

Challenges

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

Announcements

The meeting of Tuesday, November 6, 2012 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, November 8, 2012, at 5:00 PM and on Saturday, November 10, 2012, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>