

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, May 7, 2013

9:00 AM

COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 EAST ANAPAMU STREET, SANTA BARBARA

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: www.countyofsb.org

Persons may address the Board of Supervisors in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Orcutt Room, Social Services Building, 2125 Centerpointe Parkway, Betteravia Government Center, Santa Maria. Persons may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.

Board Meeting Procedures.

The Board of Supervisors is the legislative body for the County of Santa Barbara. .Persons are encouraged to attend and testify before the Board on any matter appearing on the agenda.

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

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

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

Late Distribution

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

Disability Access

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

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

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

Closed Session

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

8:15 A.M. Convene and Recess to Closed Session

9:00 A.M. Reopen to Regular Session

Roll Call

Pledge of Allegiance

Approval of Minutes of the April 16, 2013 Meeting

12:00 P.M. Recess to Closed Session

Report from Closed Session

COUNTY COUNSEL

[13-0009](#)

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) (13-0001)

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 CARBAJAL

[13-00303](#)

Adopt a Resolution of Commendation honoring Tony Berroteran, Tim Martin and Dan Larson of the General Services Department as the May 2013 Employees of the Month for Santa Barbara County.

A-2) SUPERVISOR CARBAJAL, SUPERVISOR WOLF [13-00313](#)

Adopt a Resolution proclaiming May 2013 as Santa Barbara Public Gardens' Appreciation Month in Santa Barbara County.

A-3) SUPERVISOR WOLF [13-00311](#)

Adopt a Resolution proclaiming May 2013 as Perinatal Depression Awareness Month in Santa Barbara County.

A-4) SUPERVISOR WOLF [13-00312](#)

Adopt a Resolution proclaiming May 2013 as National Foster Care Month in Santa Barbara County.

A-5) SUPERVISOR LAVAGNINO [13-00305](#)

Adopt a Resolution proclaiming May 2013 as Military Appreciation Month in Santa Barbara County.

A-6) SUPERVISOR LAVAGNINO [13-00309](#)

Adopt a Resolution proclaiming May 6, 2013 as National Nurses' Day and May 6 through May 12, 2013 as National Nurses' Week in Santa Barbara County.

A-7) SUPERVISOR LAVAGNINO [13-00323](#)

Adopt a Resolution proclaiming May 6 through May 12, 2013 as Compost Awareness Week in Santa Barbara County.

Honorary ResolutionsA-8) SUPERVISOR CARBAJAL [13-00300](#)

Adopt a Resolution of Commendation honoring Custody Deputy Sara Ann Lauderdale upon her retirement from the Sheriff's Office after over 28 years of faithful and distinguished service to the citizens of Santa Barbara County.

A-9) SUPERVISOR CARBAJAL [13-00315](#)

Adopt a Resolution of Commendation honoring Santa Barbara High School Students, Jenny Aguilar, Rachel Bishop and Jesus Terrazas, upon receiving National Tax-Preparation Certification.

A-10) SUPERVISOR CARBAJAL, SUPERVISOR FARR [13-00314](#)

Adopt a Resolution proclaiming May 2013 as Older American's Month in Santa Barbara County.

Administrative Items**A-11) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [13-00338](#)**

Consider recommendations regarding Fiscal Year 2012/2013 Alcohol and Drug Program (ADP) Contract Amendments, as follows:

- a) Approve and authorize the Chair to execute an Amendment to the Contract with Aegis Medical Systems, Inc. (a local vendor) for the provision of narcotic treatment services to increase the Contract by \$141,000.00 for a total Contract not to exceed \$1,887,400.00 through June 30, 2013;
- b) Approve and authorize the Chair to execute an Amendment to the Contract with Good Samaritan Shelter, Inc. (a local vendor) for the provision of alcohol and drug services to increase the Contract by \$66,000.00 for a total Contract not to exceed \$1,273,920.00 through June 30, 2013; and
- c) 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-12) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [13-00339](#)

Approve and authorize the Director of Alcohol, Drug and Mental Health Services to execute the five-year Mental Health Plan revenue Contract with the State of California Department of Health Care Services for the period of May 1, 2013 through June 30, 2018.

A-13) AUDITOR-CONTROLLER [13-00306](#)

Receive and file the Santa Barbara County Independent Special Districts Compliance Report for the completion of annual audits ending Fiscal Year 2010/2011 and annual budgets for Fiscal Year 2011/2012.

A-14) AUDITOR-CONTROLLER [13-00327](#)

Consider recommendations regarding Franchise Agreement Compliance Reports - Franchise Fees for Cox Communications and Comcast Cable Communications, LLC, Comcast of Santa Maria, LLC, and their affiliates and subsidiaries, as follows:

- a) Receive and file the Auditor-Controller's Franchise Agreement Compliance Reports (the Compliance Reports) on Franchise Fees for Cox Communications and Comcast Cable Communications, LLC, Comcast of Santa Maria, LLC, and their affiliates and subsidiaries (Comcast) for the period of January 1, 2008 through December 31, 2010; and
- b) Approve and authorize the Chair to execute a Settlement Agreement with Comcast in which Comcast agrees to pay the County \$10,160.00.

A-15) AUDITOR-CONTROLLER, BOARD OF DIRECTORS, FIRE PROTECTION DISTRICT, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [13-00316](#)

Acting as the Board of Supervisors; Board of Directors, Fire Protection District; and Board of Directors, Flood Control and Water Conservation Districts:

Consider recommendations regarding Proposition 4/111 Appropriations Limit, as follows:

- a) Accept the report of the Proposition 4/111 Appropriation Limits (GANN Initiative);
- b) Adopt the following seven (7) Resolutions:
 - i) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2012/2013 for the County of Santa Barbara;
 - ii) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2012/2013 for Santa Barbara County Service Area No. 3;
 - iii) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2012/2013 for Santa Barbara County Service Area No. 4;
 - iv) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2012/2013 for Santa Barbara County Service Area No. 5;
 - v) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2012/2013 for the Santa Barbara County Fire Protection District;
 - vi) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2012/2013 for the Santa Barbara North County Lighting District; and
 - vii) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2012/2013 for the Santa Barbara County Flood Control and Water Conservation Districts;
- c) Select the change in the California Per Capita Personal Income as the price factor in determining the Fiscal Year 2012/2013 limit for Santa Barbara County, and the California Per Capita Personal Income for special districts, and ratify selections by recorded vote; and
- d) Select the change in population within Santa Barbara County and all contiguous counties as the population factor in determining the Fiscal Year 2012/2013 limit for Santa Barbara County, and the change in population within Santa Barbara County for the special districts and ratify selections by recorded vote.

A-16) COMMUNITY SERVICES[13-00230](#)

Consider recommendations regarding 1) the Draft Fiscal Year 2013/2014 Annual Action Plan for the use of Federal Funds under the Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and HOME Programs; and 2) Fiscal Year 2011/2012 and 2012/2013 Annual Action Plan Substantial Amendments, as follows:

- a) Approve final submission of the Fiscal Year 2013/2014 Annual Action Plan and the Fiscal Year 2011/2012 and 2012/2013 Annual Action Plan Substantial Amendments to the U. S. Department of Housing and Urban Development (HUD) by the HUD deadline of May 17, 2013;
- b) Adopt a Resolution authorizing submittal of the Fiscal Year 2013/2014 Annual Action Plan and Fiscal Year 2011/2012 and 2012/2013 Annual Action Plan Substantial Amendments to HUD;
- c) Authorize the County Executive Officer or designee to execute all certifications, standard forms and other related documents required for CDBG and ESG Program administration and implementation and for submittal to and approved by HUD of the Fiscal Year 2013/2014 Annual Action Plan and Fiscal Year 2011/2012 and 2012/2013 Annual Action Plan Substantial Amendments; and
- d) Determine that the approval of the Fiscal Year 2013/2014 Annual Action Plan and the Fiscal Year 2011/2012 and 2012/2013 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 impact on the environment, and direct staff to file a Notice of Exemption.

A-17) COMMUNITY SERVICES[13-00324](#)

Consider recommendations regarding a Grant of Utility Easement and Agreement to Carpinteria Sanitary District at County Rincon Beach Park, First District, as follows: (4/5 Vote Required.)

a) Approve and authorize the Chair to execute a Grant of Utility Easement and Agreement to convey an interest in real property to the Carpinteria Sanitary District (the District) as an easement for sewer purposes across a portion of County Rincon Beach Park, APN 001-220-048, for the connectivity of its sewer pump station by constructing the South Coast Beach Communities Septic to Sewer Conversion Project;

b) Accept the Planning Commission's action that the proposed conveyance of County real property interest is in conformity with the Comprehensive Plan of the County of Santa Barbara pursuant to California Governments Code Section 65402;

c) Adopt a Notice and Resolution of Intention to Convey Easement Interest in County Real Property;

d) Consider the Final Environmental Impact Report, SCH No. 2003071115, the final supplemental Environmental Impact Report, and three Addenda to the Final EIR and Final Supplemental EIR dated August 7, 2007, June 2, 2010 and July 17, 2012, prepared and certified by the District and the lead agency, and determine that none of the conditions in California Environmental Quality Act (CEQA) Guidelines sections 15162 or 15163 requiring a subsequent or supplemental EIR have occurred; and

e) Direct the Chair of the Board of Supervisors to execute Landowner Consent to Annexation which consents to the annexation of a County Parcel to the Carpinteria Sanitary District and allows the District to provide sanitary sewer service to this County Parcel.

A-18) COUNTY EXECUTIVE OFFICE[13-00301](#)

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

A-19) GENERAL SERVICES[13-00336](#)

Consider recommendations regarding New Cuyama Family Resource Center and Library, Project No. 8711, First District, as follows: (4/5 Vote Required).

- a) Accept a cash donation of \$370,000.00 from the Cuyama Valley Family Resource Center, consistent with County Policy D4.1, for construction of the New Cuyama Family Resource Center and Library Project 8711;
- b) Approve a Budget Revision designating the funds be deposited into Fund 0030, Department 063, Account 8711;
- c) Award alternates on the site work bid for the New Cuyama Family Resource Center and Library presented to the Board on November 13, 2012, in accordance with the plan to include the alternates, upon receipt of the cash donation noted in recommendation “a)” above;
- d) Approve and authorize the Chair to execute Amendment No. 1 to the Contract with Quincon, Inc. (Quincon) for the New Cuyama Family Resource Center and Library in the amount of \$94,814.00 upon return of the Contractor’s executed Amendment No. 1 and the review and approval of County Counsel, Auditor-Controller and Risk Manager or their authorized designees;
- e) Award alternates on the modular bid for the New Cuyama Family Resource Center and Library presented to the Board on November 13, 2012, in accordance with the plan to include the alternates, upon receipt of the cash donation noted in recommendation “a)” above;
- f) Approve and authorize the Chair to execute Amendment No. 1 to the Contract with Atlas Performance Industries, Inc. (API) for the New Cuyama Family Resource Center and Library in the amount of \$212,613.42 upon return of the Contractor’s executed Amendment No. 1 and the review and approval of County Counsel, Auditor-Controller and Risk Manager or their authorized designees;
- g) Re-authorize the Director of General Services or designee to approve Change Orders up to the limit specified in California Public Contract Code Section 20142 for the Quincon and API Contracts; and
- h) 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 or of the sufficiency or feasibility of mitigation measures, and therefore these actions are within the scope of the New Cuyama Family Resource Center and Library project covered by the Mitigated Negative Declaration and Addendum (07NGD-00000-00019) approved and adopted by the Board for the New Cuyama Family Resource Center and Library project on August 14, 2012 and that, therefore, no new environmental document is required.

A-20) GENERAL SERVICES[13-00330](#)

Consider recommendations regarding Happy Trails Pony Ride Concession Agreement at Waller County Park in Santa Maria, Folio No. 003284, Fourth District, as follows: (4/5 Vote Required.)

- a) Approve and authorize the Chair to execute a Concession Agreement between the County of Santa Barbara and Jeff and Andrea Leonard, husband and wife, as individuals doing business as Happy Trails Pony Rides at Waller County Park in Santa Maria, for a period of five years commencing upon execution of the Agreement and expiring April 30, 2018, for a 5% commission on gross sales; and
- b) Determine that the proposed action by the Board is exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301 and direct staff to file and post a Notice of Exemption on that basis.

A-21) PLANNING AND DEVELOPMENT[13-00326](#)

Consider recommendations regarding the Acquistapace/Adam Agricultural Preserve Contract, Santa Maria area, Third District, as follows:

- a) Approve and authorize the Chair to execute an Agricultural Preserve Replacement Contract 11AGP-00000-00025, on a single 115.22-acre parcel located at the intersection of Betteravia and Simas Roads, in the Santa Maria area;
- b) Approve and authorize the Chair to execute a Contract creating Agricultural Preserve 11AGP-00000-00025;
- c) Authorize recordation by the Clerk of the Board; and
- d) Find that the proposed action is an administrative activity of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

A-22) PLANNING AND DEVELOPMENT[13-00328](#)

Consider recommendations regarding the Acquistapace/Adam Agricultural Preserve Contract, Santa Maria area, Third District, as follows:

- a) Approve and authorize the Chair to execute an Agricultural Preserve Replacement Contract 11AGP-00000-00026, on a single 40-acre parcel located at the intersection of Betteravia and Simas Roads, in the Santa Maria area;
- b) Approve and authorize the Chair to execute a Contract creating Agricultural Preserve, 11AGP-00000-00026;
- c) Authorize recordation by the Clerk of the Board; and
- d) Find that the proposed action is an administrative activity of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

A-23) PLANNING AND DEVELOPMENT[13-00329](#)

Consider recommendations regarding Ozolins Agricultural Preserve Contract, Goleta area, Second District, as follows:

- a) Approve and authorize the Chair to execute agricultural preserve replacement contract 12AGP-00000-00004, on a single 40-acre parcel located at 1735 North Patera Lane, in the Goleta area;
- b) Approve and authorize the Chair to execute a Contract creating Agricultural Preserve, 12AGP-00000-00004;
- c) Authorize recordation by the Clerk of the Board; and
- d) Find that the proposed action is an administrative activity of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

A-24) PUBLIC HEALTH**13-00310**

Consider recommendations regarding a Waste Tire Enforcement Grant Agreement from CalRecycle pursuant to Public Resources Code Sections 40000 et seq., as follows:

- a) Adopt a Resolution authorizing Public Health Department Director to execute Agreement TEA 20-12-45 with the Department of Resources Recycling and Recovery (CalRecycle) for a Waste Tire Enforcement Grant in the amount of \$47,000.00; and
- b) Determine, pursuant to CEQA Guidelines Section 15378(b)(4), that acceptance of this grant is not a project subject to CEQA review because it is a government funding mechanism that does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-25) PUBLIC WORKS**13-00304**

Consider recommendations regarding a Monument Deposit- Tract Map No. 14770, Western Sky Development, LLC, Santa Maria, Fourth District, as follows:

- a) Require Western Sky Development LLC to post a certified check or cash in the amount of Seven Thousand One Hundred and 00/100 (\$7,100.00) prior to recordation of Tract Map 14770 to guarantee the setting of the interior monumentation pursuant to Section 66496.36 of the State Subdivision Map Act; and
- b) Find that no new effects will occur and no new mitigation measures would be required as a result of the requirement to post funds, and therefore pursuant to CEQA Section 15162, that action is within the scope of the project covered by the Final Mitigated Negative Declaration for the "Terrace Villas" development (11NGD-00000-00007) as accepted by the Board as a Responsible Agency on September 13, 2011, and no new environmental document is required.

A-26) PUBLIC WORKS**13-00332**

Consider recommendations regarding an Amendment to Cooperative Agreement for Measure A Safe Routes to School and Bicycle and Pedestrian Projects, First, Second, and Third Districts, as follows:

- a) Approve and authorize the Chair to amend the Cooperative Agreement with SBCAG for Measure A Safe Routes to School and Bicycle and Pedestrian Projects by adding County-sponsored projects receiving funds from the Cycle 2 Measure A Safe Routes to School and Bicycle and Pedestrian Programs; and
- b) Find that the proposed action is for the operation, leasing or licensing of existing public structures, facilities, mechanical equipment or topographical features, 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-27) PUBLIC WORKS[13-00334](#)

Approve and authorize the Chair to execute the Statement of Final Quantities for Storm Damage Repair on Jalama Road at Mile Post 4.4 South of Highway 1, County Project No. 862258, Federal Project No. ER-4200(006), for work performed and materials supplied by Specialty Construction, Inc., 645 Clarion Court, San Luis Obispo, California 93401, in the amount of \$1,690,963.94, Third District.

A-28) PUBLIC WORKS[13-00337](#)

Consider recommendations regarding completion of preliminary and detailed design for the replacement of Goleta Beach Park Bridge 51C-0158, County Project 862319, Second District, as follows:

- a) Approve and authorize the Chair to execute an Agreement with Quincy Engineering Inc. (Sacramento, California) for completion of Preliminary Design and Detailed Design for the Replacement of Goleta Beach Park Bridge 51C-0158, County Project 862319, at a cost of \$500,711.00;
- b) Authorize the Director of Public Works to approve amendments to the Agreement for supplemental work up to \$50,071.00; and
- c) Find that the proposed action(s) do not constitute a project within the meaning of CEQA, pursuant to 14 CCR 15378(b)(2), continuing administrative or maintenance activities such as purchases for supplies, personnel-related actions, general policy and procedure making, and approve the filing of a Notice of Exemption on that basis.

A-29) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

[13-00293](#)

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

Consider recommendations regarding a License Agreement with the Nipomo Community Services District for the Waterline Intertie Project, Fifth District, as follows:

- a) Certify that the Board, acting as a Responsible Agency, has considered the environmental effects of the 2009 Final Environmental Impact Report (FEIR) for the Nipomo Community Services District Waterline Intertie Project, SCH No. 2005071114, and the Addendum to that EIR dated April 25, 2012, pursuant to the California Environmental Quality Act (CEQA) Section 15096(f);
- b) Certify that the Board, acting as a Responsible Agency, has reviewed and considered the information contained in the 2009 FEIR for the Nipomo Community Services District Waterline Intertie Project, and the Addendum dated April 25, 2012, and adopt the CEQA Findings pursuant to CEQA Section 15091 as required by Section 15096(h);
- c) Approve and authorize the Chair to execute the License Agreement with the Nipomo Community Services District for the Waterline Intertie Project that crosses the Santa Maria River Levee; and
- d) After considering the Final Environmental Impact Report (FEIR) that the Nipomo Community Services District's Board of Directors certified on April 22, 2009, and the Addendum to that FEIR that the Nipomo Community Services District's Board of Directors received and considered on April 25, 2012, determine pursuant to CEQA guidelines section 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 2009 Final EIR; 2) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which require major revisions of the 2009 Final 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 EIR was certified in 2009, has been received.

A-30) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [13-00320](#)

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

Consider recommendations regarding Las Vegas/San Pedro Creek Capacity Improvement Project, Second District, as follows:

- a) Receive and file a Report on the status of the Las Vegas/San Pedro Creeks Capacity Improvement Project;
- b) Approve and authorize the Public Works Director to negotiate a Construction and Maintenance Agreement (CM Agreement) with the Union Pacific Railroad (UPRR) for the construction of the enlarged railroad bridges over Las Vegas and San Pedro Creek Creeks;
- c) Direct staff to return to the Board for approval and execution of CM Agreement; and
- d) Find that the recommended action and authorization do not constitute a "Project" within the meaning of CEQA, pursuant to 14 CCR 15378 (b)(4) (creation of government funding mechanisms).

A-31) SHERIFF [13-00318](#)

Authorize the Purchasing Agent to procure aviation parts and services for the Sheriff Office from Segers Aero Corporation (not a local vendor) for an amount not to exceed \$100,000.00 as a sole source procurement without being required to conduct a formal bid process for the period ending July 31, 2013.

A-32) SHERIFF [13-00319](#)

Consider recommendations regarding the execution of an Agreement with the State of California to reimburse the State for the cost of an employee working at the Santa Barbara Regional Narcotics Enforcement Team (SBRNET) for a total of \$110,000.00, funded by SBRNET Asset Forfeiture Funds, as follows: (4/5 Vote Required.)

- a) Approve and authorize the Chair to execute an Agreement with the State of California Department of Justice whereby the Sheriff's Office will reimburse the State for the cost of a State employee participating in the SBRNET for an amount no greater than \$110,000.00, said to expire on June 30, 2013; and
- b) Approve Budget Revision 0002741 recognizing the release of committed funds held for SBRNET, appropriating an expenditure so that payment can be made to the State.

A-33) TREASURER-TAX COLLECTOR [13-00325](#)

Receive and file the Fiscal Year 2012/2013 Third Quarter (January through March, 2013) report on the Treasurer's Investment Pool, pursuant to Government Code section 53646(b).

A-34) AUDITOR-CONTROLLER [13-00335](#)

Receive and file the Auditor-Controller's Report on the Statement of Assets of the Santa Barbara County Treasurer's Investment Pool, as of March 31, 2013.

Board of Supervisors

A-35) SUPERVISOR CARBAJAL [13-00317](#)

Approve the appointment of Dorinne Lee Johnson to the Historic Landmarks Advisory Committee, term ending January 1, 2017, First District.

A-36) SUPERVISOR CARBAJAL [13-00322](#)

Approve the appointment of Robert Williams to the Mosquito and Vector Control Management District of Santa Barbara County, term ending December 31, 2014, First District.

A-37) SUPERVISOR WOLF [13-00308](#)

Approve the reappointment of Gwendolyn P. Hampton to the Commission for Women, term ending April 24, 2016, Second District.

A-38) SUPERVISOR LAVAGNINO [13-00321](#)

Approve the reappointment of Victor D. Tognazzini to the Fire Board of Appeals, term ending April 1, 2014, Fifth District.

A-39) SUPERVISOR ADAM [13-00343](#)

Approve the Appointment of Martha Hall-Burr to the Air Pollution Control District Community Advisory Council, term ending December 31, 2017, Fourth District.

A-40) SUPERVISOR ADAM [13-00344](#)

Approve the Appointment of Mark Gomes to the Fish and Game Commission, open term, Fourth District.

Hearing Requests**A-41) PUBLIC WORKS**[13-00331](#)

Set hearing to consider recommendations regarding prohibiting the use of a portion of Ballard Canyon Road by certain vehicles, Third District, as follows:
(Set hearing for 5/21/13. Time estimate: 30 minutes.)

a) Consider the introduction (first reading) of an Ordinance amending Santa Barbara County Code, Chapter 23, Sections 23-13.11 prohibiting the use of a portion of Ballard Canyon Road by certain vehicles in the Santa Ynez area; and

b) Set a hearing for June 4, 2013 on the Administrative Agenda to consider recommendations, as follows:

i) Consider the adoption (second reading) of an Ordinance, amending Santa Barbara County Code, Chapter 23 Sections 23-13.11, prohibiting the use of a portion of Ballard Canyon Road by certain vehicles; and

ii) 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 the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301 and approve the filing of a Notice of Exemption on that basis.

Approval of Administrative Agenda

Departmental Agenda
Planning Items and Public Hearings

1) SUPERVISOR LAVAGNINO 13-00302

HEARING - Consider recommendations regarding a Contract with Santa Maria Fairpark, as follows: (EST. TIME: 15 MIN.)

a) Approve and authorize the Chair to execute a Contract between the County of Santa Barbara and the Santa Maria Fairpark for the Santa Barbara County Veterans' Stand Down on October 19, 2013; and

b) Find that the proposed action consists of the normal operation of existing facilities for public gatherings for the purpose for which the facilities were designed, and is therefore exempt from CEQA pursuant to 14 CCR 15322; direct staff to file a Notice of Exemption with the Clerk of the Board on that basis.

2) PUBLIC HEALTH 13-00341

HEARING - Consider recommendations regarding a report from the Homeless Death Review Team, as follows: (EST. TIME: 20 MIN.)

a) Receive and file a written report and an oral presentation from the Homeless Death Review Team on deaths of homeless persons in Santa Barbara County for the period January 1, 2009 through December 31, 2011; 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.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES 13-00342

HEARING - Approve the Mental Health Services Act Plan Update for Fiscal Year 2012/2013. (EST. TIME: 45 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

4) PLANNING AND DEVELOPMENT[13-00272](#)

HEARING - Consider recommendations of the County and Montecito Planning Commissions to approve: (1) Case No. 12GPA-00000-00003, which would amend the Housing Element of the County Comprehensive Plan by adding a new goal and eight policies to Chapter 5, revising Program 1.2, and deleting Appendix A: Inclusionary Housing Program; and (2) Case No. 12ORD-00000-00015, which would adopt the proposed Inclusionary Housing Ordinance as Chapter 46A of the County Code; and take the following actions: (EST. TIME: 45 MIN.)

a) Conduct a hearing regarding Case No. 12GPA-00000-00003 (Comprehensive Plan Housing Element Amendment) and continue the item to the Administrative Agenda of May 14, 2013 to consider recommendations, as follows:

- i) Make the findings for approval, including CEQA findings, of the proposed amendment;
- ii) Determine that the proposed amendment is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and
- iii) Adopt a Resolution approving Case No. 12GPA-00000-00003, an amendment to the Housing Element of the County Comprehensive Plan;

b) Consider recommendations regarding Case No. 12ORD-00000-00015 (Inclusionary Housing Ordinance), as follows:

i) Consider the introduction (first reading) of an Ordinance (Case No. 12ORD-00000-00015) to create the Inclusionary Housing Ordinance; and read the title and waive further reading of the Ordinance, Case No. 12ORD-00000-00015, amending Chapter 46, Affordable Housing Enforcement, of the Santa Barbara County Code; and

c) Set a hearing on the Administrative Agenda of May 14, 2013 to consider recommendations, as follows:

- i) Make the findings for approval, including CEQA findings, of the proposed Ordinance;
- ii) Determine that the proposed Ordinance is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and
- iii) Consider the adoption (second reading) of an Ordinance (Case No. 12ORD-00000-00015), amending Chapter 46, Affordable Housing Enforcement, of the Santa Barbara County Code.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

5) SUPERVISOR ADAM[13-00333](#)

HEARING - Consider recommendations regarding adjustment of petroleum enforcement to eliminate duplication, as follows: (EST. TIME: 1 HR.)

- a) Direct the Director of Planning and Development to prioritize enforcement of Santa Barbara County Code Chapter 25 for activities that are not already regulated by an enforcement agency other than the County of Santa Barbara; and
- b) Determine that the above activity of prioritizing efforts is a government activity that does not commit the County to any specific action which may result in a potentially significant physical impact on the environment, and therefore pursuant to CEQA Guidelines Section 15378(b)(4) is not a project subject to environmental review under the California Environmental Quality Act (CEQA).

Adjourn to

May 14, 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, May 7, 2013 will be telecast live on County of Santa Barbara TV Channel
20 at 9:00 AM, and will be rebroadcast on Thursday, May 9, 2013, at 5:00 PM and on Saturday,
May 11, 2013, at 10:00 AM on CSBTV Channel 20.*

<http://www.countyofsb.org>