

**County of Santa Barbara**  
**BOARD OF SUPERVISORS**



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

*Mona Miyasato, County Executive Officer*

**Agenda**

**Tuesday, February 11, 2014**

**9:00 AM**

**JOSEPH CENTENO BETTERAVIA GOVERNMENT  
ADMINISTRATION  
BUILDING, BOARD HEARING ROOM**

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](http://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](http://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 February 4, 2014 Meeting****12:00 P.M. .... Recess to Closed Session****Report from Closed Session**[14-00009](#)

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) (14-00001)*

*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 CARBAJAL**[14-00128](#)

Adopt a Resolution of Commendation honoring Carolyn Contreras upon her retirement after her many years of service to the Santa Barbara County community.

**Administrative Items**A-2) COMMUNITY SERVICES[14-00129](#)

Consider recommendations regarding HOME Loan for Casas de las Flores Affordable Housing Project, First District, as follows:

- a) Approve and Authorize the Chair to execute the County HOME Loan Agreement and HOME Regulatory Agreement with Casas de las Flores L.P. for development of the Casas de las Flores affordable housing project at 4096 Via Real, Carpinteria;
- b) Authorize the Community Services Department Director to approve subsequent line item changes to Exhibit B (Budget) of the County HOME Loan Agreement, as long as the total principal amount of the HOME Loan, \$1,209,957.00, is not increased;
- c) Approve the County HOME Loan Promissory Note and Deed of Trust, Assignment of Rents, and Security Agreement;
- d) Approve and authorize the Chair to execute a Subordination Agreement, pending review by County Counsel and the Auditor, that subordinates the County HOME Loan Permanent Deed of Trust, Assignment of Rents, and Security Agreement that secures the County HOME Loan Agreement and the County HOME Loan Regulatory Agreement to a deed of trust securing a loan from JPMorgan Chase Bank, N.A. for development of the Casas de las Flores affordable housing project;
- e) Approve and authorize the Chair to execute a Subordination Agreement that subordinates the County HOME Loan Permanent Deed of Trust, Assignment of Rents, and Security Agreement that secures the County HOME Loan Agreement and the County HOME Loan Regulatory Agreement to a deed of trust securing a loan from the Housing Trust Fund of Santa Barbara County for development of the Casas de las Flores affordable housing project; and
- f) Find that pursuant to California Environmental Quality Act (CEQA) 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 the recommended actions for the Casas de las Flores Affordable Housing Project are within the scope of the project covered by Final Mitigated Negative Declaration for the Casas de las Flores (Project No. 10-1543-DP/CDP) approved on December 6, 2010 by the City of Carpinteria Planning Commission, and that therefore no new environmental document is required.

A-3) GENERAL SERVICES[14-00122](#)

Consider recommendations regarding Sheriff Equestrian Training Facility at Santa Ynez Valley Equestrian Association, Santa Ynez, Third District, as follows:

- a) Approve and authorize the Chair to execute a Lease Agreement (Lease) between the County of Santa Barbara (County) and Santa Ynez Valley Equestrian Association (SYVEA) for the County's leasing of a portion of the Santa Ynez Valley Equestrian Center (Property) to operate an equestrian training facility for a period of twenty (20) years in return for County payment of an annual membership fee of \$150.00 per Sheriff Mounted Patrol Unit member; and
- b) Determine that the proposed action is exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301, "Existing Facilities," and approve and direct staff to file and post a Notice of Exemption on that basis.

A-4) GENERAL SERVICES[14-00124](#)

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

- a) Accept a cash donation of \$137,500.00 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 No. 8711;
- b) Approve Budget Revision No. 0003258 designating the funds be deposited into Fund 0030, Department 063, Account 8711; and
- c) 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-5) GENERAL SERVICES[14-00125](#)

Consider recommendations regarding Child Support Services Fifth Amendment to Town Center Tower Office Lease, in Santa Maria, Fifth District, as follows:

- a) Approve and authorize the Chair to execute a Fifth Amendment to Town Center Tower Office Lease (Fifth Amendment) between the County of Santa Barbara (County) and Burt E. Fugate Trustee of the Burt E. Fugate Trust and the Anne LeFever Trust (Landlord), to extend the term by three years, with two additional options to extend the term for three years each, which may be exercised by the Director of General Services, or designee; and reduce the monthly rent from \$17,714.99 to \$15,373.50, effective March 1, 2014; and
- b) Determine that the proposed action is exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301, Existing Facilities, and approve and direct staff to file and post a Notice of Exemption on that basis.

A-6) GENERAL SERVICES[14-00043](#)

Consider recommendations regarding Sheriff - Coroner Bureau Facility Ventilation System, Second District, as follows:

- a) Receive and file a "Ventilation Study" related to findings 3a and 3b of the Santa Barbara Civil Grand Jury Report titled, Sheriff-Coroner's Bureau: The Manner of Death-A Final Diagnosis;
- b) Direct staff to include the study's recommended actions in the overall assessment and prioritization of county-wide deferred maintenance needs as outlined in the upcoming Facility Condition Assessment Report;
- c) Approve and authorize the Chair to execute a letter and direct staff to submit the letter to the Presiding Judge; and
- d) Determine that the proposed actions are administrative activities that will not result in physical changes to the environment and are therefore not a project subject to the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378.

**A-7) PLANNING AND DEVELOPMENT**[14-00123](#)

Consider recommendations regarding the Pacific Coast Energy Company Seep Cans Emergency Permit, 13EMP-00000-00004, Fourth District, as follows:

- a) Receive and file a report on Emergency Permit 13EMP-00000-00004, which authorized the placement of seven seep cans on the subject property which are used to prevent the seepage of petroleum fluids from impacting the environment, APN 101-020-074;
- b) Determine that issuance of the emergency permits is exempt from the California Environmental Quality Act (CEQA) pursuant CEQA Guideline section 15269(c), as this action was necessary to prevent or mitigate an emergency; and
- c) Determine that receiving and filing this report is not a project pursuant to CEQA Guideline section 15378(b)(5), as it is an administrative government activity that will not result in direct or indirect physical changes in the environment.

**A-8) PUBLIC HEALTH**[14-00130](#)

Consider recommendations regarding CenCal Health Systems Maddy Program Claims Adjudication Agreement, as follows:

- a) Approve and authorize the Chair to execute an Agreement for Claims Adjudication for the Maddy Program with CenCal Health for the period of April 1, 2014 to December 31, 2016 for reimbursement for claims adjudication services rendered for the Maddy Program eligible patients at local hospitals and physician offices for a maximum of \$1,675,000.00 for the term of the Agreement; and
- b) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review under CEQA Guideline Section 15378(b), since this action is a government fiscal activity and not a project.

**A-9) PUBLIC WORKS**[14-00104](#)

Consider recommendations regarding Federal Land Access Grant Program, County Projects Nos. 810545 and 810546 First and Second Districts, as follows: (4/5 Vote required)

- a) Approve and Authorize the Chair to execute the Project Memorandum of Agreement between the Federal Highway Administration and the County of Santa Barbara for resurfacing Paradise Road and Gibraltar Road;
- b) Approve and Authorize the Chair to execute the Federal Lands Highway Reimbursable Agreement for a total amount of \$4,552,000.00 between the Federal Highway Administration and the County of Santa Barbara;
- c) Approve Budget Revision Request No. 0003274 to establish appropriations of \$910,400.00 in Public Works Roads-Capital Maintenance Fund for Services and Supplies funded by a transfer of General Fund Contingency fund balance; and
- d) Find that the proposed actions are administrative activities which do not constitute a "Project" within the meaning of California Environmental Quality Act (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.

**A-10) PUBLIC WORKS**[14-00041](#)

Consider recommendations regarding an Ordinance Amending Chapter 29 of the Santa Barbara County Code Relating to the Stormwater Management and Discharge Control Ordinance, as follows:

- a) Consider the adoption (second reading) of an Ordinance Amending Article IV of Chapter 29 of the Santa Barbara County Code Relating to Stormwater Management and Discharge Control; and
- b) Find that the proposed Ordinance Amendment is for the protection of the environment and does not involve construction activities or relaxation of standards and is therefore exempt from the California Environmental Quality Act (CEQA) Guidelines Section 15308 (Actions by Regulatory Agencies for the Protection of the Environment) and approve the filing of a Notice of Exemption on that basis.



A-11) TREASURER-TAX COLLECTOR[14-00127](#)

Consider recommendations regarding the withdrawal of monies from County Treasury by Lompoc Cemetery District, as follows:

a) Adopt a Resolution “In the Matter of Determining a Mutually Acceptable Date for the Withdrawal of the Lompoc Cemetery District’s Money from the County Treasury Pursuant to Health and Safety Code Section 9077”; and

b) Determine that the above action involves government funding mechanisms and/or fiscal activities and is not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

A-12) TREASURER-TAX COLLECTOR[14-00126](#)

Consider recommendations regarding the Treasurer's Investment Pool, Fiscal Year 2013-2014 Second Quarter (October - December 2013), as follows:

a) Receive and file the Fiscal Year 2013-2014 Second Quarter (October - December 2013) Report on the Treasurer’s Investment Pool, pursuant to Government Code section 53646(b); and

b) Review and approve the Investment Policy Statement and authorize the County Treasurer to manage the investment pool in accordance with the policy, pursuant to section 53646(a) and 53607 of the Government Code.

A-13) AUDITOR-CONTROLLER[14-00121](#)

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

**Approval of Administrative Agenda**

**Departmental Agenda**  
**Planning Items and Public Hearings**

1) **PLANNING AND DEVELOPMENT** **14-00109**

HEARING - Consider recommendations regarding an Ordinance, Case No. 14ORD-00000-00003, which amends Article V, Planning and Zoning, of Chapter 2, Administration, of the County Code, to update the procedures regarding appointing members of the North Board of Architectural Review, as follows: (EST. TIME: 10 MIN.)

a) Consider the introduction (first reading) of an Ordinance, Case No. 14ORD-00000-00003, amending Article V, Planning and Zoning, of Chapter 2, Administration, of the County Code;

b) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act (CEQA) in compliance with Sections 15061(b)(3) of the Guidelines for Implementation of CEQA; and

c) Set a hearing on the Administrative agenda of February 18, 2014 to consider recommendations, as follows:

i) Consider the adoption (second reading) of an Ordinance, Case No. 14ORD-00000-00003, amending Article V, Planning and Zoning, of Chapter 2, Administration, of the County Code;

ii) Waive full reading into the record of an Ordinance amending Article V, Planning and Zoning, of Chapter 2, Administration, of the County Code; and

iii) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act in compliance with Sections 15061(b)(3) of the Guidelines for Implementation of CEQA.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

2) **COMMUNITY SERVICES** **14-00131**

HEARING - Consider recommendations regarding a Joseph Centeno Aquatics Center Cuyama Pool Update, First District, as follows: (EST. TIME: 15 MIN.)

a) Receive a presentation on the status of the New Cuyama Pool;

b) Receive and file the "Addendum to Pre-Design Report and Joseph Centeno Cuyama Pool and Aquatics Complex Needs Assessment" for the New Cuyama Pool Reconstruction Project 8736, prepared by Westberg and White in conjunction with Rowley International; and

c) Accept the determination that the proposed project is exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15302(b),(c), and approve the filing of a categorical exemption on that basis.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) COUNTY EXECUTIVE OFFICE, AUDITOR-CONTROLLER [14-00120](#)

HEARING - Consider recommendations regarding Fiscal Year 2013-2014 Second Quarter Budget and Financial Update, as follows: (4/5 Vote required) (EST. TIME: 30 MIN.)

a) Receive and file, per the provisions of Government Code Section 29126.2, the Fiscal Year 2013-2014 Second Quarter Budget and Financial Update as of December 31, 2013, showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors;

b) Approve Budget Revision No. 0003270 to recognize unanticipated general revenues of \$4.0 million and appropriate these funds to the Contingency committed fund balance to be used for potential audit settlements including Federal Emergency Management Agency (FEMA), inpatient mental health services and other Alcohol, Drug, and Mental Health Services funding issues.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

4) PROBATION [14-00100](#)

HEARING - Receive and file a presentation on Public Safety Realignment in Santa Barbara County: Preliminary Evaluation Report. (EST. TIME: 20 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

5) PLANNING AND DEVELOPMENT[14-00075](#)

HEARING - Consider the Planning Commission's recommendation for approval of the Orcutt Union School District project, Orcutt Community Plan Keysite 17, Case Nos. 09GPA-00000-00004 and 09RZN-00000-00012, located approximately 130 feet southeast of the intersection of Soares Avenue and First Street, in the Old Town Orcutt area, APNs 105-134-004 and -005, 105-330-005 and -006, Fourth District, and act as follows: (EST. TIME: 30 MIN.)

- a) Make the required findings for approval of the project, including California Environmental Quality Act (CEQA) findings;
- b) Certify the Final Subsequent Environmental Impact Report (11EIR-00000-00003), and the revision letter dated August 28, 2013, and adopt the Mitigation Monitoring and Reporting Program (Section 11 of 11EIR-00000-00003);
- c) Approve a Comprehensive Plan Amendment (09GPA-00000-00004) and adopt a Resolution approving the following: 1) changing the Land Use Designation on the subject parcels from Residential 8.0 units/acre (Res-8.0) to Residential 20 units/acre (Res-20); 2) revising Orcutt Community Plan Policy KS17-1 relative to density, and the portion of Action KS17-6 relative to density and height limitations; revising Development Standard KS17-2 relative to height limitations; and 3) adding Development Standards KS17-7, KS17-8, KS17-9, and KS17-10; and
- d) Approve a rezone (09RZN-00000-00012) amending the zone district on the subject parcels from Small Lot Planned Development (SLP) to Design Residential, 20 units/acre (DR-20).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

6) PLANNING AND DEVELOPMENT[14-00108](#)

HEARING - Consider the Planning Commission's recommendation for denial of the Mosby Sports and Outdoor Recreation Facility project, Case Nos. 11CUP-00000-00032 and 12RZN-00000-00003, APNs 099-141-016 and 099-141-017, located approximately 0.5 mile east of the City of Lompoc, northeast of the intersection of Hwy 246 and Sweeney Road, commonly known as 625 E. Hwy 246, in the Lompoc area, Fourth District, as follows: (EST. TIME: 1 HR.)

- a) Make the required findings to deny the project, including California Environmental Quality Act (CEQA) findings;
- b) Determine the project denial to be exempt from CEQA pursuant to Guideline Section 15270; and
- c) Deny the project, Case Nos. 11CUP-00000-00032 and 12RZN-00000-00003.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

**Adjourn to****Tuesday, February 18, 2014****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, February 11, 2014 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 13, 2014, at 5:00 PM and on Saturday, February 15, 2014, at 10:00 AM on CSBTV Channel 20.*

**<http://www.countyofsb.org>**