

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, February 19, 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.

9:00 A.M. Convene to Regular Session**Roll Call****Pledge of Allegiance****Approval of Minutes of the February 5, 2013 Meeting****12:00 P.M. Recess to Closed Session****Report from Closed Session**COUNTY COUNSEL[13-00009](#)

Closed Session Agenda

Public Comment Period

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (13-00001)

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

Administrative Agenda

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

Resolutions to be Presented at 9:00 A.M.A-1) SUPERVISOR CARBAJAL[13-00104](#)

Adopt a Resolution proclaiming the month of February 2013 as National Children's Oral Health Awareness Month in Santa Barbara County.

A-2) SUPERVISOR CARBAJAL, SUPERVISOR WOLF [13-00106](#)

Adopt a Resolution celebrating the 60th Diamond Anniversary of the Alpha Resource Center of Santa Barbara.

A-3) SUPERVISOR CARBAJAL, SUPERVISOR FARR [13-00114](#)

Adopt a Resolution proclaiming 2013 as the Year of Elder Abuse Prevention.

Honorary Resolutions

A-4) SUPERVISOR CARBAJAL [13-00115](#)

Adopt a Resolution celebrating the 60th anniversary of the Montecito Rotary Club.

Administrative Items

A-5) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [13-00102](#)

Approve and authorize the Chair to execute an Amendment to the Contract with Medical Doctor Associates (not a local vendor) increasing the contract by \$375,840.00 for a total not to exceed \$660,000.00 through June 30, 2013.

A-6) AUDITOR-CONTROLLER [13-00107](#)

Consider recommendations regarding property tax administrative costs recovery for 2012/2013 (SB2557), as follows:

- a) Receive and file a report prepared by the Santa Barbara County Auditor-Controller determining recoverable Fiscal Year 2012/2013 property tax administrative costs;
- b) Adopt a Resolution recovering property tax administrative costs pursuant to California Revenue and Taxation Code sections 95.3; and
- c) Determine that approval of the Resolution to recover property tax administrative costs pursuant to California Revenue and Taxation Code sections 95.3 is not a project under the California Environmental Quality Act (CEQA) pursuant to sections 15060(c)(3), 15378(b)(4), and 15378(b)(5) of the CEQA Guidelines, because it will not result in a direct or reasonably foreseeable indirect physical change in the environment.

A-7) AUDITOR-CONTROLLER [13-00113](#)

Receive and file the Loss of Public Property Report for the period of January 1, 2011 through June 30, 2012.

A-8) AUDITOR-CONTROLLER[13-00118](#)

Receive and file the County of Santa Barbara's Single Audit Report for the Fiscal Year ended June 30, 2012.

A-9) COUNTY EXECUTIVE OFFICE, AUDITOR-CONTROLLER[13-00120](#)

Consider recommendations regarding North County Jail Appropriations, as follows: (4/5 Vote Required)

a) Approve Budget Revision No. 0002718 for the required County match for the Northern Branch Jail (NCJ) project which transfers fund balance to the newly established Sheriff Capital Projects - Jail Fund, from the following: \$600,000.00 from the Sheriff's portion of the Prop 172 Public Safety Restricted Fund Balance in the General Fund, \$3,000,000.00 from the New Jail Operations Committed Fund Balance in the General Fund \$5,289,500.00 from the Strategic Reserve Committed Fund Balance in the General Fund and \$50,000.00 from the Capital Outlay Fund;

b) Approve Budget Revision No. 0002719 to establish appropriations of \$1,002,000.00 by release of Committed Fund Balance for NCJ acquisition study costs in the Sheriff Capital Project- Jail Fund, consisting of the transfer of \$802,000.00 of cost reimbursement to the General Fund and \$200,000.00 of services and supplies;

c) Approve Budget Revision No. 0002720 to increase appropriations of \$973,867.00 funded by a release of Committed Fund balance for NCJ preliminary plan costs in the Sheriff Capital Projects - Jail Fund; and

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

A-10) COUNTY EXECUTIVE OFFICE[13-00122](#)

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

A-11) PLANNING AND DEVELOPMENT**13-00123**

Consider recommendations regarding a public convenience determination for SLO Gas and Mart, Fourth District, as follows:

a) Approve and authorize the Chair to execute the letter and forward the application to the California Department of Alcohol Beverage Control (ABC) determining that public convenience will be served by issuing the new off-sale beer and wine license to Mr. Bruce Gilan, for the convenience market/service station, located at 1101 E. Clark Avenue in Orcutt; and

b) Determine that this activity is exempt from California Environmental Quality Act review per CEQA Guidelines Section 15061(b) (3), since it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

A-12) PLANNING AND DEVELOPMENT**13-00124**

Consider recommendations regarding the Coastal Commission's conditional certification of amendments to the Local Coastal Program regarding the Pescadero Lofts Affordable Housing Project in Isla Vista, Third District, as follows:

a) Receive notice of the California Coastal Commission's conditional certification of the County's amendments to the County's Local Coastal Program [Coastal Commission Case No. STB-MAJ-1-12-B (Affordable Housing Density Increase)] with one suggested modification;

b) Adopt a Resolution acknowledging receipt of the California Coastal Commission's conditional certification with one suggested modification, accepting and agreeing to the modification, agreeing to issue Coastal Development Permits for the total area included in the conditionally certified Local Coastal Program, and adopting the Local Coastal Program Amendments with the suggested modification;

c) Determine that the Board's action is not subject to the California Environmental Quality Act, pursuant to Public Resources Code section 21080.9. (The County relied upon the certified EIR for the Isla Vista Master Plan (03-EIR-08) for CEQA review of the Pescadero Lofts project pursuant to CEQA Guidelines section 15168(c)(2) and (c)(4));

d) Approve and authorize the Chair to execute a letter transmitting the Resolution to the California Coastal Commission; and

e) Authorize the Planning and Development Department to transmit the adopted Resolution and Board letter to the California Coastal Commission.

A-13) PUBLIC HEALTH**13-00101**

Consider recommendations regarding appointments to the Santa Barbara County Community Health Center Board, as follows:

- a) Approve the appointments of Lee Herrington, Celia Lee, Alexander Echevarria, Oniko “Nikki” Cox, Edward “Eddie” Taylor II, and Sande Campbell to the Community Health Center (CHC) Board as recommended by the Public Health Department for a term of three years; 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-14) PUBLIC WORKS**13-00126**

Consider recommendations regarding stop controls on various streets in the Goleta area, Isla Vista Area, and Santa Maria Area, Second, Third and Fifth Districts; as follows:

- a) Adopt a Resolution establishing stop controls at various locations in the Second, Third and Fifth Districts; and
- b) Find that the proposed action is for the operation and maintenance of an existing public facility 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, and approve the filing of a Notice of Exemption on that basis.

A-15) PUBLIC WORKS**13-00131**

Consider recommendations regarding a Resolution in support of the Orcutt Old Town Gateway Transportation Art Project, Fourth District, as follows:

- a) Adopt a Resolution in support of the Orcutt Old Town Gateway Veterans Memorial Public Art Project;
- b) Authorize the Director of Public Works/Road Commissioner to execute applications, permits and agreements associated with construction and maintenance of the Old Town Orcutt Gateway Veterans Memorial Art Project; and
- c) Find that the proposed action(s) consists of minor public or private alterations in the condition of land, water, and/or vegetation which does not involve removal of healthy, mature, scenic trees, pursuant to 15304: Class 4, and approve the filing of a Notice of Exemption on that basis.

A-16) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [13-00103](#)

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

Consider recommendations regarding North Avenue Storm Drain Improvements Project - West Phase, Fourth District, as follows:

- a) Approve and authorize the Chair to execute the Statement of Final Quantities for work performed and materials supplied for the North Avenue Storm Drain Improvements Project - West Phase by the contractor R. Baker, Inc. in the amount of \$332,765.26; and
- b) Find that the proposed North Avenue Storm Drain Project was found to be exempt under Section 15304, Minor Alterations to Land, on Nov. 11, 2011, that no substantial changes are proposed in the project, no substantial changes have occurred with respect to the circumstances under which the project is undertaken, and no new information of substantial importance has been received with respect to the project, and therefore no new CEQA action is required for approval of the recommended actions.

A-17) PUBLIC WORKS, COMMUNITY SERVICES [13-00111](#)

Adopt a Resolution initiating proceedings to annex territory, Terrace Villas, tract 14,770 (previously Terrace Ranch TR 14,330) to the North County Lighting District and County Service Area 5.

A-18) SOCIAL SERVICES [13-00119](#)

Consider recommendations regarding an Agreement with Family Care Network, Inc. for Transitional Housing Program-Plus Services, Second District, as follows:

- a) Approve and authorize the Chair to execute an Agreement with Family Care Network, Inc, a local vendor, to provide Transitional Housing Program-Plus (THP-Plus) services for emancipated foster or probation youth, for the period of March 1, 2013 through June 30, 2014, in an amount not to exceed \$440,000.00; and
- b) Approve and authorize the Chair to execute the Second Amendment to the Lease Agreement between the County of Santa Barbara, as lessor, and Family Care Network, Inc., as lessee, extending the term of the Lease of the approximately 6400 square foot building known as La Morada, located at 66 South San Antonio Road, in Santa Barbara, for a period of approximately 16 months, through June 30, 2014, with one option to extend the Lease for one additional year; to allow for the continued operation of the THP-Plus program .

A-19) TREASURER-TAX COLLECTOR [13-00109](#)

Consider recommendations regarding the Treasurer's Investment Pool, Fiscal Year 2012/2013, Second Quarter, as follows:

a) Receive and file the Fiscal Year 2012/2013 Second Quarter (October - December, 2012) Report on the Treasurer's Investment Pool, pursuant to Government Code section 53646(b); and

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

A-20) AUDITOR-CONTROLLER [13-00112](#)

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, 2012.

Board of Supervisors**A-21) SUPERVISOR CARBAJAL [13-00117](#)**

Receive and file a report on Washington DC legislative visits to advocate for Santa Barbara County's 2013 Federal Legislative Platform Priorities.

A-22) SUPERVISOR CARBAJAL [13-00105](#)

Consider recommendations regarding the acceptance of a gift from the Courthouse Docent Council for the restoration of the Santa Barbara Courthouse Lamp, as follows:

a) Receive an in-kind gift from the Santa Barbara Courthouse Docent Council (a 501 (c) 3 corporation) in the amount of \$10,165.00; and

b) Approve and authorize the Chair to execute a Budget Revision Request in the amount of \$10,165.00

A-23) SUPERVISOR CARBAJAL [13-00116](#)

Approve the reappointment of Soma Baldwin to the Law Library Board of Trustees, term ending December 31 2013, First District.

A-24) SUPERVISOR WOLF [13-00128](#)

Approve the reappointment of Alexander "Skip" Szymanski to the Community Health Center Board, term ending December 31, 2015, Second District.

A-25) SUPERVISOR FARR [13-00108](#)

Approve the reappointment of Albert A. Nunez to the Guadalupe Cemetery District Board of

Trustees, term ending December 31, 2017, Third District.

A-26) SUPERVISOR ADAM [13-00133](#)

Approve the appointment of Sandra Brown to the Mental Health Commission, term ending February 19, 2016, Fourth District.

A-27) SUPERVISOR ADAM [13-00134](#)

Approve the appointment of Robert Jones to the Northern Board of Architectural Review, term ending February 19, 2017, Fourth District.

A-28) SUPERVISOR ADAM [13-00135](#)

Approve the appointment of Michael Maglinte to the Northern Board of Architectural Review, term ending February 19, 2017, Fourth District.

Hearing Requests

A-29) PUBLIC HEALTH [13-00110](#)

Set hearing to consider recommendations regarding a Resolution to amend the Environmental Health Services Fee Schedule to include a Cottage Food Operations Fee, as follows: (Set hearing for 3/12/13. Time estimate: 15 min.)

a) Adopt a Resolution to amend fees for Environmental Health Services pursuant to the California Retail Food Code, Health & Safety Code §113700, et seq.; and

b) Pursuant to California Environmental Quality Act (CEQA) guidelines, approve the Notice of Exemption from the California Environmental Quality Act of 1970 (CEQA) for the fee resolutions.

A-30) TREASURER-TAX COLLECTOR[13-00132](#)

Set hearing to consider recommendations regarding an Ordinance to amend Section 2-10.8 of Article 1 of Chapter 2 of the Santa Barbara County Code to recover certain tax auction mandated costs, as follows:

(Set hearing for 3/5/12. Time estimate 5 minutes)

- a) Consider the introduction (first reading) of an Ordinance amending Section 2-10.8 of the Santa Barbara County Code to establish fees for the Treasurer-Tax Collector's Office;
- b) Receive and file a report on costs related to certain fees charged by the Treasurer-Tax Collector (available for public inspection at least ten (10) days prior to the hearing date at the Treasurer-Tax Collector's Office, 105 E. Anapamu Street, Room 109, Santa Barbara, CA; week days 8:00 am to 5:00 pm); and
- c) Set a hearing on the Administrative Agenda for March 12, 2013 to consider recommendations, as follows:
 - i) Consider the adoption (second reading) of an Ordinance amending Section 2-10.8 of the Santa Barbara County Code to establish fees for the Treasurer-Tax Collector's Office; and
 - ii) Determine that the above action(s) are not a "project" under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines because they consist of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

Approval of Administrative Agenda

Departmental Agenda
Planning Items and Public Hearings

1) PROBATION [13-00121](#)

HEARING - Receive and file a presentation on Juvenile Justice Trends. (EST. TIME: 45 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

2) PLANNING AND DEVELOPMENT [13-00057](#)

HEARING - Consider recommendations regarding the Field/Postras Appeal of the Vincent Winery Development Plan Project, Third District, as follows: (EST. TIME: 1 HR.)

a) Deny the appeal, Case No. 12APL-00000-00019;

b) Make the required findings for approval of Case No. 09DVP-00000-00034, including the California Environmental Quality Act (CEQA) findings;

c) Adopt the Mitigated Negative Declaration, 10NGD-00000-00024, and adopt the mitigation monitoring program; and

d) Grant de novo approval of Case No. 09DVP-00000-00034, subject to the Conditions of Approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

3) PLANNING AND DEVELOPMENT [13-00130](#)

HEARING - Approve and authorize the Chair to execute a letter to the California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR), determining the need for additional review based on environmental and other concerns for the Proposed Barham Ranch Oil Field Expansion, Third District. (EST. TIME: 45 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

4) COMMUNITY SERVICES, PLANNING AND DEVELOPMENT [13-00127](#)

HEARING - Consider recommendations regarding options to allocate fees collected from the Miramar Project to mitigate for the loss of low-cost visitor serving overnight accommodations in the coastal zone, as follows: (EST. TIME: 30 MIN.)

a) Consider options for allocation of a \$1.395 million fee collected from the developer of the Miramar project and provide staff with direction, as follows:

i) Determine to fund a project meeting the intent of the condition language to be located on County-owned lands, in which case staff will return with project options for the Board's consideration;

ii) Determine that the Board's action is not a project, pursuant to CEQA Guidelines Section 15378(b)(4);

b) Alternatively, your Board could choose one of the following options:

i) Continue to hold the funds in the account for allocation at a future date;

ii) Determine to fund a project meeting the intent of the condition language to be located on lands owned by another public agency (i.e., City of Santa Barbara, State of California), in which case staff will return to your Board with options and execution documents.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

5) COUNTY EXECUTIVE OFFICE, AUDITOR-CONTROLLER [13-00125](#)

HEARING - Receive and file, per the provisions of Government Code section 29126.2, the Fiscal Year 2012/2013 Financial Status Report as of December 31, 2012, showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors. (EST. TIME: 30 min.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Adjourn to**March 5, 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, February 19, 2013 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 21, 2013, at 5:00 PM and on Saturday, February 23, 2013, at 10:00 AM on CSBTV Channel 20.

THE BOARD OF SUPERVISORS WILL NOT BE MEETING ON TUESDAY, FEBRUARY 26, 2013, THIS IS A 4TH TUESDAY. THE NEXT REGULAR MEETING OF THE BOARD OF SUPERVISORS WILL BE ON TUESDAY, MARCH 5, 2013 IN SANTA BARBARA.

<http://www.countyofsb.org>