

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, October 14, 2014

9:00 AM

**JOSEPH CENTENO BETTERAVIA GOVERNMENT
ADMINISTRATION BUILDING, BOARD HEARING ROOM
511 EAST LAKESIDE PARKWAY, SANTA MARIA**

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.

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 October 7, 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 FARR**[14-00794](#)

Adopt a Resolution of Commendation honoring Randy Jones for his advocacy on behalf of the agricultural community.

- A-2) SUPERVISOR FARR [14-00795](#)

Adopt a Resolution of Commendation honoring Richard Quandt for his 35 years of dedication to the agricultural community.

- A-3) SUPERVISOR LAVAGNINO [14-00790](#)

Adopt a Resolution recognizing the month of October 2014 as Energy Awareness Month in Santa Barbara County.

Honorary Resolutions

- A-4) SUPERVISOR CARBAJAL, SUPERVISOR WOLF [14-00784](#)

Adopt a Resolution of Commendation honoring Dr. Debra Stakes in recognition of her Labor Leader of the Year Award from the Tri-Counties Central Labor Council.

- A-5) SUPERVISOR CARBAJAL, SUPERVISOR WOLF [14-00785](#)

Adopt a Resolution of Commendation honoring Dr. Steve Hall in recognition of his Labor Leader of the Year Award from the Tri-Counties Central Labor Council.

- A-6) SUPERVISOR WOLF [14-00783](#)

Adopt a Resolution of Commendation honoring Joe Scher for a lifetime of service to our community upon his 90th birthday.

- A-7) SUPERVISOR LAVAGNINO [14-00789](#)

Adopt a Resolution recognizing the month of October 2014 as Share the Road Month in Santa Barbara County.

Administrative Items**A-8) COMMUNITY SERVICES**[14-00787](#)

Consider recommendations regarding a Memorandum of Understanding for Continuum of Care Program Activities and Project Applications for the Fiscal Year 2014 Continuum of Care Program Competition, as follows:

- a) Approve and authorize the Chair to execute a Memorandum of Understanding (MOU) with the Santa Maria/Santa Barbara County Continuum of Care (Local CoC) regarding the County of Santa Barbara's roles as the Collaborative Applicant and Homeless Management Information System (HMIS) Lead Agency;
- b) Authorize the Community Services Director or designee to submit project applications and all certifications, standard forms, and other related documents to the Local CoC and the United States Department of Housing and Urban Development (HUD) for Clean and Sober Living, Continuum of Care (CoC) Planning, HMIS, HMIS Expansion I, and Lompoc Transformative Housing for the Fiscal Year (FY) 2014 CoC Program Competition; and
- c) Determine that the recommended actions do not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), finding that the project is an organizational or administrative activity of governments that will not result in direct or indirect physical changes in the environment, and direct staff to file a Notice of Exemption (NOE).

A-9) COUNTY EXECUTIVE OFFICE[14-00090](#)

Consider recommendations regarding Re-Ratification of the Drought Proclamation passed September 16, 2014, (Tenth Thirty-Day Renewal), as follows:

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

A-10) COUNTY EXECUTIVE OFFICE[14-00791](#)

Consider recommendations regarding Santa Barbara Region Chamber of Commerce Contract for Services, as follows:

- a) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with Santa Barbara Region Chamber of Commerce (a local vendor) to provide for an Economic Vitality Task Force, and all associated activities, in an amount not to exceed \$150,000.00; and
- b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4) because it consists of 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 physical impact on the environment.

A-11) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY[14-00786](#)

Acting as the Board of Directors, Water Agency:

Consider recommendations regarding Cloudseeding Program 2014-2015, as follows:

- a) Approve the 2014-2015 cloudseeding program and authorize the Chair to execute the Agreement with North American Weather Consultants (NAWC) (not a local vendor) for cloudseeding for the period of October 14, 2014 through June 30, 2015 unless earlier terminated, in an amount not to exceed \$319,850.00;
- b) Consider an addendum to the Mitigated Negative Declaration (MND) 13NGD-00000-00011 which the Board adopted on October 15, 2013; and
- c) After considering the MND and the addendum to the MND, determine pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162(a) that no subsequent EIR or Negative Declaration is required for this project because: 1) No substantial changes are proposed in the project which require major revisions of the MND; 2) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which require major revisions of the MND; 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 MND was adopted in has been received.

Hearing RequestsA-12) PUBLIC HEALTH[14-00792](#)

Set a hearing to consider recommendations regarding the Adoption of Ordinances for the Repeal of Chapter 16, Article II and Chapter 18, Article X for Environmental Health Services related County Codes, as follows:

(Set hearing for November 4, 2014. Time estimate 10 minutes)

- a) Receive and file a presentation regarding the repeal of Chapter 16, Article II, entitled “Milk”, sections 16-7 through 16-16 and Chapter 18, Article X, entitled “Establishment and Operation of Medical Marijuana Dispensaries”, sections 18-75 through 18-83;
- b) Approve the introduction (First Reading) of an Ordinance amending Chapter 16 of the Santa Barbara County Code to repeal Article II, entitled “Milk”, sections 16-7 through 16-16;
- c) Approve the introduction (First Reading) of an Ordinance amending Chapter 18 of the Santa Barbara County Code to repeal Article X, entitled “Establishment and Operation of Medical Marijuana Dispensaries” sections 18-75 through 18-83;
- d) Read the titles of the Ordinances into the record and waive full reading of the Ordinances;
and
- e) Set a hearing on the Administrative Agenda for December 2, 2014 to consider recommendations, as follows:
 - i) Consider the adoption (Second Reading) of an Ordinance amending Chapter 16 of the Santa Barbara County Code to repeal Article II, entitled “Milk”, sections 16-7 through 16-16;
 - ii) Consider the adoption (Second Reading) of an Ordinance amending Chapter 18 of the Santa Barbara County Code to repeal Article X, entitled “Establishment and Operation of Medical Marijuana Dispensaries” sections 18-75 through 18-83; and
 - iii) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activities may have a significant effect on the environment.

A-13) PUBLIC HEALTH[14-00793](#)

Set a hearing to consider recommendations regarding the approval of Local Agency Management Program (LAMP) and adoption of an Ordinance for Onsite Wastewater Treatment Systems with related administrative cleanup of County Code, as follows:
(Set hearing for November 4, 2014. Time estimate: 40 minutes)

- a) Receive and file a presentation regarding the Environmental Health Services' Onsite Wastewater Treatment System Ordinance;
- b) Approve the introduction (first reading) of an Ordinance amending Chapters 18, 18C, 24A and 19 of the Santa Barbara County Code by repealing sections 18-2, 18-4, 18-7, 18-7.1, 29-6 through 29-20, and amending Chapters 18C and Chapter 24A;
- c) Read the titles of the Ordinances into the record and waive full reading of the Ordinances;
and
- d) Set a hearing on the Administrative Agenda for December 2, 2014 to consider recommendations, as follows:
 - i) Accept and approve the Santa Barbara County Local Agency Management Program (LAMP) to establish County policy regarding Onsite Wastewater Treatment Systems within Santa Barbara County and direct the Environmental Health Services Director to submit the LAMP to the Regional Water Quality Control Board for approval;
 - ii) Consider the adoption (Second Reading) of an Ordinance amending Chapters 18, 18C, 24A and 29 of the Santa Barbara County Code by repealing sections 18-2, 18-4, 18-7, 18-7.1, 29-6 through 29-20, and amending Chapters 18C and Chapter 24A; and
 - iii) Find that the actions of accepting and approving the LAMP and amending the Ordinances are exempt from California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines section 15307 and 15308 because these actions are for the protection of natural resources and the environment.

Approval of Administrative Agenda

Departmental Agenda
Planning Items and Public Hearings

1) COMMUNITY SERVICES[14-00788](#)

HEARING - Consider recommendations regarding approval of the draft Amendment to the Fiscal Year (FY) 2014-2015 Action Plan and approval and execution of the HOME Loan Agreement for \$180,000.00 for the "Solvang Senior Apartments Project;" Third District, as follows: (EST. TIME: 15 MIN.)

a) Consider public comments relating to the "Solvang Senior Apartments Project" that were submitted during the thirty-day public comment period, which commenced on September 13, 2014 and concludes on October 14, 2014 at the close of the public hearing for the Project. All written comments received by HCD on or before 5:00 P.M., October 13, 2014 are included in the draft amendment to the FY 2014-2015 Action Plan. Oral comments may be considered during the public hearing when the Project is considered by the Board for approval;

b) Approve the amendment to the FY 2014-2015 Action Plan and direct staff to submit it to HUD; and

c) Upon Board approval of the amendment to the FY 2014-15 Action Plan, consider the following recommendations:

i) Approve a County HOME loan, in the amount of \$180,000.00, to 1758 Laurel Ave., LP; and approve and authorize the Chair to execute originals and duplicate originals of the County HOME Loan Agreement, the County HOME Loan Promissory Note, the County Deed of Trust, Assignment of Rents, and Security Agreement; and the County HOME Regulatory Agreement (together, the Loan Documents) with 1758 Laurel Ave., LP for development of the Solvang Senior Apartments affordable housing project at 1758 Laurel Avenue in Solvang;

ii) 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, \$180,000.00, is not increased;

iii) Approve the use of up to \$70,000.00 in HOME funds to cover costs incurred by the County for Project construction monitoring;

iv) Approve and authorize the Chair to execute a Subordination Agreement that subordinates the County HOME Loan Promissory Note, 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 Pacific Western Bank;

v) Approve and authorize staff to replace the exhibits to the County Loan Documents that contains the Project's legal description following the recordation of a revised legal description to reflect the merger of two lots into one; and

vi) 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 Solvang Senior Apartments Project is within the scope of the project covered by Final Mitigated Negative Declaration for the Project approved on October 14, 2013 by the City of Solvang, and that therefore no new environmental document is required.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

2) COUNTY EXECUTIVE OFFICE

14-00687

HEARING - Consider recommendations regarding Amending Chapter 12 of the Santa Barbara County Code, as follows: (EST. TIME: 30 MIN.)

a) Consider the introduction (first reading) of an Ordinance amending Chapter 12 of the Santa Barbara County Code entitled Emergency Management (read title and waive further reading beyond the title); and

b) Set a hearing on the Administrative Agenda of October 21, 2014 to consider recommendations, as follows:

i) Consider adoption (second reading) of an Ordinance amending Chapter 12 of the Santa Barbara County Code relating to Emergency Management; and

ii) Find that this activity is exempt from review on the basis that it can be seen with certainties that there is no possibility that the activity may have significant effect on the environment under California Environmental Quality Act (CEQA) Guidelines Section 15061(b) (3) and approve of filing a Notice of Exemption on this basis.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

ADDENDUM**Departmental Item No. 3) is amended as follows:**3) FIRE 14-00750

HEARING - Consider recommendations regarding Fire Development Impact Fees and Amendments to Chapter 15 of the County Code, as follows: (EST. TIME: 1 HR.)

a) Consider the introduction (first reading) of an Ordinance amending Chapter 15 of the Santa Barbara County Code by repealing Articles IIIB (Ordinance No. 4311) and IIIC (Ordinance No. 4353) and amending Article III (Ordinance No. 4236);

b) Read the title and waive further reading of the Ordinance; and

c) Set a hearing on the Administrative Agenda for October 21, 2014 to consider recommendations, as follows:

i) Adopt a Resolution adjusting the Fire Protection Mitigation Fees within the Santa Barbara County Fire Department's service area;

ii) Consider the adoption (second reading) of an Ordinance amending Chapter 15 of the Santa Barbara County Code by repealing Articles IIIB (Ordinance No. 4311) and IIIC (Ordinance No. 4353) and amending Article III (Ordinance No. 4236), to be effective 60 days from date of adoption; and

~~iii) Adopt a Resolution to allocate Fire Protection Mitigation Fees that have been collected from developers during fiscal years 2009-2010 through 2014-2015 to the Fire Department to reimburse a portion of fire apparatus and equipment purchases pursuant to the County Fire Protection Mitigation Fee Ordinance effective August 30, 1996; and~~

~~iv) iii)~~ Find that this action is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of California Environmental Quality Act (CEQA) and file a Notice of Exemption because there is no possibility that the activity in question may have a significant effect on the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

4) COUNTY EXECUTIVE OFFICE[14-00473](#)

HEARING - Consider recommendations regarding a Water Supply and Drought Update, as follows: (EST. TIME: 2 HRS)

a) Receive a water supply and drought status report update from the County's Drought Task Force as a follow up to the June 17, 2014 report;

b) Receive any follow up information regarding water supply and drought measures from individual local water purveyors; and

c) Determine that the proposed action is not subject to California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378(b) (5), as it is an administrative action that will not result in direct or indirect changes to the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

ADDENDUM

Departmental Item No. 5) is amended as follows:

5) GENERAL SERVICES[14-00748](#)

HEARING - Consider recommendations regarding Policy Direction - Establishment of a Pilot Project Stabilization Agreement for the Northern Branch Jail AB 900 Phase II Project, Third District, as follows: (EST. TIME: 1 HR.)

a) Receive and file a report on the status of negotiations for the development of a framework for a Pilot Project Stabilization Agreement for the Northern Branch Jail AB 900 Phase II Project;

b) Receive evidence and find that a Pilot Project Stabilization Agreement furthers a legitimate governmental interest consistent with competitive bidding law by preventing costly project delays, assuring contractors access to skilled labor, and avoiding the potential for labor strife during the life of the project; if finding made, then

c) Approve and authorize the Chair to sign the Pilot Project Stabilization Agreement for the Northern Branch Jail AB 900 Phase II Project; or

d) Direct staff to move forward with this project utilizing your Board's previously approved Joint Labor Compliance Program on July 10, 2012, in lieu of with the Pilot Project Stabilization Agreement; and

e) Find that the proposed action does not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to 14 CCR 15378 (b)(5), in that it is a government administrative activity that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Adjourn to**Tuesday, October 21, 2014****Joseph Centeno Betteravia Government Administration Building****Board Hearing Room****511 East Lakeside Parkway****Santa Maria****Challenges**

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

Announcements

The meeting of Tuesday, October 14, 2014 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, October 16, 2014, at 5:00 PM and on Saturday, October 18, 2014, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>