

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Salud Carbajal, Vice-Chair

Second District - Janet Wolf

Third District - Doreen Farr, Chair

Fourth District - Joni Gray

Fifth District - Steve Lavagnino

Chandra L. Wallar, County Executive Officer

Action Summary

Tuesday, May 22, 2012

9:00 AM

**COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 E. 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.

8:00 A.M. Convened and Recessed to Closed Session

9:00 A.M. Reconvened to Regular Session

CONVENED AT 9:10 A.M.

Roll Call

Present: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

Pledge of Allegiance

Approval of Minutes of the May 15, 2012 Meeting

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, to Approve the Minutes. The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

Report from Closed Session

COUNTY COUNSEL

[12-00009](#)

Closed Session Agenda

Chair Doreen Farr announced that the Board of Supervisors approved the reappointment of Dennis Marshall as County Counsel for a four year term.

12-00001

Public Comment

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

Re: 2012 Elections Issues - Dr. Robert L. Johns addressed the Board

Re: Roundabout on Highway 246 - Fourth District Supervisor Joni Gray addressed the Board

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.

Honorary Resolutions

A-1) SUPERVISOR CARBAJAL [12-00432](#)

Adopt a Resolution of Commendation honoring Chief Kevin Wallace upon his retirement from the Montecito Fire Protection District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted.

RESOLUTION NO. 12-129

The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

Administrative Items

A-2) DISTRICT ATTORNEY [12-00433](#)

Adopt a Resolution authorizing the District Attorney to execute an Agreement with the State Victim Compensation & Government Claims Board (VCGCB), to extend Victim Claims Verification Services effective July 1, 2012 through June 30, 2015, for a total of \$696,192.00.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted.

RESOLUTION NO. 12-130

The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-3) DISTRICT ATTORNEY[12-00434](#)

Adopt a Resolution authorizing the District Attorney to execute an Agreement with the State Victim Compensation & Government Claims Board (VCGCB) to extend the Criminal Restitution Compact effective July 1, 2012 through June 30, 2013 for a total of \$92,671.00.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted.

RESOLUTION NO. 12-131

The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-4) GENERAL SERVICES[12-00439](#)

Consider recommendations regarding the award of a Contract to Newton Construction and Management for the Santa Barbara Health Care Center Multi Zone 6 and Roof Replacement Project, Project No. J02014-K2, Second District, as follows:

- a) Approve the plans and specifications for the Santa Barbara Health Care Center Multi Zone No. 6 and Roof Replacement Project No. J02014-K2;
- b) Approve and authorize the Chair to execute a Contract with Newton Construction and Management (not a local vendor) for the Santa Barbara Health Care Center Multi Zone No. 6 and Roof Replacement Project, in the amount of \$242,000.00;
- c) Authorize the Director of General Services to approve any needed change orders in an amount not to exceed 10% of the base amount of \$242,000.00, or \$24,200.00; and
- d) Find that the proposed action is for the operation, repair or maintenance of an existing public structure and its mechanical equipment, involving negligible or no expansion of use beyond that which presently exists, and that the proposed action is therefore exempt from California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Acted on as follows:

- a) Approved;**
- b) Approved; Chair to execute;**
- c) Authorized; and**
- d) Approved.**

The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-5) PROBATION

12-00426

Adopt a Resolution authorizing the Chief Probation Officer to submit, execute, and accept Juvenile Accountability Block Grant (JABG) funding from the California Corrections Standards Authority (CSA) for the period of July 1, 2012 through June 30, 2013, in the amount of \$41,108.00.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Adopted.

RESOLUTION NO. 12-132

The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-6) PUBLIC WORKS

12-00424

Consider recommendations regarding a Transportation Development Act (TDA) claim for Fiscal Year 2012/2013, as follows:

- a) Adopt a Resolution authorizing the Public Works Director to file a \$1,994,063.00 claim with the Santa Barbara County Association of Governments (SBCAG) for an allocation of Transportation Development Act (TDA) funds for Fiscal Year 2012/2013;
- b) 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
- c) Approve the filing of a Notice of Exemption on that basis.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Acted on as follows:

a) Adopted;

RESOLUTION NO. 12-133

b) and c) Approved.

The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-7) PUBLIC WORKS

12-00428

Consider recommendations regarding County Service Area No. 41, Cebada Canyon Road maintenance assessments for Fiscal Year 2012/2013, Fourth District, as follows:

- a) Adopt a Resolution establishing road maintenance charges with no increase in benefit assessment for County Service Area No. 41;

- b) Find that the proposed action is for the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of meeting operating expenses; that the proposed action is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15273(a)(1); and

- c) Approve the filing of a Notice of Exemption on that basis.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Acted on as follows:

a) Adopted;

RESOLUTION NO. 12-134

b) and c) Approved.

The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-8) PUBLIC WORKS

12-00431

Consider recommendations regarding Stop Controls on various streets in Los Alamos, Buellton, Vandenberg Village, and the Goleta Area, Second and Third Districts, as follows:

- a) Adopt a Resolution to establish stop controls at various locations;
- 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 the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301; and
- c) Approve the filing of a Notice of Exemption on that basis.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Acted on as follows:

a) Adopted;

RESOLUTION NO. 12-135

b) and c) Approved.

The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-9) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [12-00425](#)

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

Consider recommendations regarding an Agreement for the Lower Mission Creek Flood Control Project, Reach 1B, Second District, as follows:

- a) Approve and authorize the Chair to execute an Agreement with Tetra Tech, Inc. (not a local vendor) to provide engineering design services for the Lower Mission Creek Flood Control Project, Reach 1B for the period of May 22, 2012 through October 15, 2013, in an amount not to exceed \$199,219.00;
- b) Authorize a 10% contingency in the amount of \$19,921.90 with Tetra Tech, Inc. for additional work that may be needed to complete work for the project; and
- c) Find that pursuant to the California Environmental Quality Act (CEQA) Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the proposed action and therefore pursuant to CEQA Section 15162, the Lower Mission Creek Flood Control Project Reach 1B is within the scope of the project covered by the EIS/EIR for the Lower Mission Creek Flood Control Project as well as the Findings and Statement of Overriding Considerations accepted by the Board as a Responsible Agency on May 11, 2011, and no new environmental document is required.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Acted on as follows:

- a) Approved; Chair to execute;**
- b) Authorized; and**
- c) Approved.**

The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-10) SHERIFF[12-00435](#)

Consider recommendations regarding sole source purchases totaling \$625,000.00 for law enforcement equipment, as follows: (4/5 Vote Required)

a) Authorize the Purchasing Agent to procure in-car video equipment for the Sheriff's Office without a formal bid process and approve Coban Research and Technologies (not a local vendor) as the sole source vendor for the period ending June 30, 2013, for an amount not to exceed \$570,000.00;

b) Authorize the Purchasing Agent to procure in-car modems and equipment for the Sheriff Office without a formal bid process and approve AT&T (not a local vendor) as the sole source vendor for this equipment for the period ending June 30, 2013, for an amount not to exceed \$55,000.00; and

c) Approve Budget Revision Request No. 0002205 to transfer appropriations of \$601,000.00 in Sheriff General Fund appropriations from Salaries and Benefits to Capital Assets for purchase of COBAN in-car video equipment and increase appropriations of \$24,000.00 in Sheriff General Fund for Capital Assets funded by unanticipated revenue from the sale of surplus property.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Acted on as follows:

a) and b) Authorized

c) Approved.

The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-11) TREASURER-TAX COLLECTOR [12-00427](#)

Consider recommendations regarding the Fiscal Year 2012/2013 Veterans' Services Office County Subvention Program and Medi-Cal Cost Avoidance Program, as follows:

- a) Approve and authorize the Chair to execute the Fiscal Year 2012/2013 California Department of Veterans Affairs Subvention Certificate of Compliance; and
- b) Approve and authorize the Chair to execute the Fiscal Year 2012/2013 California Department of Veterans Affairs Medi-Cal Certificate of Compliance.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Acted on as follows:

a) and b) Approved; Chair to execute.

The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

Board of Supervisors**A-12) SUPERVISOR CARBAJAL [12-00442](#)**

Approve the appointment of Susan Keller to the Montecito Board of Architectural Review, term ending January 1, 2013, First District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-13) SUPERVISOR CARBAJAL [12-00443](#)

Approve the reappointment of James Ballard to the Carpinteria Cemetery District, term ending December 31, 2015, First District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-14) SUPERVISOR CARBAJAL[12-00444](#)

Approve the reappointment of Andrew Rosenberger to the Fire Appeals Board, term ending April 1, 2013, First District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-15) SUPERVISOR CARBAJAL[12-00445](#)

Approve the reappointment of Marilyn Anticouni to the Assessment Appeals Board No. 1, term ending September 1, 2014, First District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-16) SUPERVISOR CARBAJAL[12-00446](#)

Approve the reappointment of Jesus Manual Casas to the Mental Health Commission, term ending June 30, 2015, First District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-17) SUPERVISOR WOLF[12-00429](#)

Approve the appointment of Alex H. Pujo to the South County Board of Architectural Review, term ending December 31, 2014, Second District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

Hearing Requests

A-18) PLANNING AND DEVELOPMENT

[12-00440](#)

Set hearing to consider recommendations regarding the Cavaletto Tree Farm Residential Housing Project, Case Nos. 01GPA-00000-00009, 01RZN-00000-00015, 08DVP-00000-00012, 09TRM-00000-00001, and 09RDN-00000-00001, located at 555 Las Perlas Drive in the Goleta area, AP Nos. 069-100-006, -051, -054, and -057, Second District; as follows:

(Set hearing on 6/26/12. Time estimate: 2 hours):

- a) Make the required findings for the project, including CEQA findings;
- b) Approve the certification of the Environmental Impact Report, 11EIR-00000-00002, and adopt the mitigation monitoring program contained in the conditions of approval;
- c) Approve an amendment to the Comprehensive Plan land use designation for APNs 069-100-006, -051, -054, and -057 from A-I-5 to RES-4.6 and an amendment to the inland zoning map for the subject parcels from AG-I-5 to DR-4.6;
- d) Approve the project, 01GPA-00000-00009, 01RZN-00000-00015, 08DVP-00000-00012, 09TRM-00000-00001, and 09RDN-00000-00001, subject to the conditions of approval; and
- e) Consider the recommendation from the County Planning Commission that your Board collect 100% of the Parks fees assessed to the project and not grant the 50% credit requested by the applicant.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: June 26, 2012 in Santa Barbara (EST. TIME: 2 HRS.). The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-19) PLANNING AND DEVELOPMENT

12-00441

Set hearing consider recommendations regarding Case No. 12APL-00000-00006, the Salentine Appeal of the County Planning Commission’s March 7, 2012 denial of Case No. 11APL-00000-00021 and the de novo approval of Case No. 07LUP-00000-00830 for the Brown Grading and Horse Arena Project, located at 1215 Franklin Ranch Road, APN 077-030-013, in the Goleta Community Plan Area, Second District, as follows:
(Set hearing for 7/10/12. Time estimate: 1 hour.)

- a) Deny the appeal, Case No. 12APL-00000-00006, thereby upholding the County Planning Commission’s denial of the Salentine appeal, case number 11APL-00000-00021, as shown in the Planning Commission Action Letter dated March 12, 2012;
- b) Make the required findings for the project, including California Environmental Quality Act (CEQA) findings;
- c) Determine that approval of the project is exempt from CEQA pursuant to CEQA Guideline Sections 15303 and 15304; and
- d) Grant de novo approval of Case No. 07LUP-00000-00830, subject to the conditions.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: July 10, 2012 in Santa Maria (EST. TIME: 60 MIN.). The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-20) PUBLIC WORKS[12-00438](#)

Set hearing to consider recommendations regarding rates and fees related to Santa Barbara County Solid Waste operations for Fiscal Year 2012/2013, as follows:
(Set hearing for 6/19/12. Time estimate: 30 minutes.)

a) Adopt a Resolution, effective July 1, 2012, setting fee schedules, as follows:

i) Solid waste handling and disposal fees at County facilities; and

ii) Solid waste collection rates in the unincorporated area;

b) Adopt a Resolution, effective July 1, 2012, setting the Parcel Fee Schedule for the Cuyama Valley for Fiscal Year 2012/2013; and

c) Determine that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(8) and CEQA Guidelines Section 15273(a)(1)-(4).

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: June 19, 2012 in Santa Maria (EST. TIME: 30 MIN.). The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

Board of SupervisorsA-21) SUPERVISOR LAVAGNINO[12-00448](#)

Approve the reappointment of Charles E. Huffines to the Mental Health Commission, term ending June 1, 2015, Fifth District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-22) COUNTY EXECUTIVE OFFICE [12-00449](#)

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

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Approved. The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

A-23) COUNTY EXECUTIVE OFFICE [12-00450](#)

Consider recommendations regarding the appointment of committee members to the Indian Gaming Local Community Benefit Committee, as follows:

a) Approve the reappointment of individuals to the Indian Gaming Local Community Benefit Committee for the terms expiring on January 1, 2013, as follows:

i) Joan Jamison, City of Solvang representative;

ii) Hans Duus, at-large member; and

iii) Ed Andrisek, at-large member; and

b) Approve the appointment of individuals to the Indian Gaming Local Community Benefit Committee on an interim basis, during the term expiring on January 1, 2013, as follows:

i) Richard Gomez, Vice Chairman of the Santa Ynez Band of Chumash Indians; and

ii) Sam Cohen, Government and Legal Specialist to the Santa Ynez Band of Chumash Indians.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Acted on as follows:

a) i) ii) iii) Approved.

b) i) ii) Approved.

The motion carried by the following vote.

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

Departmental Agenda
Planning Items and Public Hearings

1) SUPERVISOR CARBAJAL, SUPERVISOR LAVAGNINO 12-00384

HEARING - Consider recommendations regarding an Ad-Hoc Subcommittee on Truancy Final Report, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file the Ad-Hoc Subcommittee on Truancy's Final Report; and
- b) Consider a funding request for one Deputy District Attorney and a 0.5 Legal Office Professional during the June Budget Hearings.

HEARING TIME: 9:27 AM - 10:17 AM (50 MIN.)

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, that this matter be Acted on as follows:

- a) **Received and filed.**
- b) **Request to be considered during June Budget Hearings.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

2) COUNTY EXECUTIVE OFFICE 12-00215

HEARING - Consider recommendations regarding a Tax Transfer Resolution between the County of Santa Barbara and the Santa Barbara County Fire Protection District, as follows: (EST. TIME: 1 HR.)

- a) Consider and confirm Board policy that the Santa Barbara County Fire Protection District funding is to equal 16 or 17% of the allocable taxes from all tax rate areas in the District and the Board has determined that a tax transfer is the best way to achieve that policy;
- b) Consider and adopt proposed findings as required by Revenue and Taxation Code Section 99.02(f);
- c) Adopt one of the attached Resolutions which directs the Auditor-Controller of the County to allocate and pay directly to the Santa Barbara County Fire Protection District (District) property taxes, base property taxes and the property tax increment, which otherwise would have been allocated to the County General Fund from those tax rate areas shared by the County General Fund and the District under the Revenue and Taxation Code Section 99.02, as follows:

- i) In Fiscal Year 2012/2013 only, an amount of \$5.9 million which raises the District's share of the allocable taxes from all tax rate areas in the District from approximately 12% to 14%;
- ii) In Fiscal Year 2013/2014 and each Fiscal Year thereafter, an amount, not to exceed 16 or 17% of the allocable taxes from all the tax rate areas in the District, equal to \$5.9 million plus the sum of 20 or 25% of the property tax increments allocable to the General Fund each year beginning Fiscal Year 2013/2014;
- iii) The District's share of property taxes shall remain at 16 or 17% in years subsequent to the first year in which the amount equals 16 or 17% of the allocable taxes from all the tax rate areas in the District; and
- iv) The sharing of property taxes, including but not limited to the contribution of property taxes as well as the receipt of property taxes in the form of pass-through payments, residual distributions from Redevelopment Property Tax Trust Funds and distributions of other moneys, as required by the Redevelopment Dissolution Act, Part 1.85 of Division 24 of the CA Health & Safety Code, commencing with Section 34170, shall be as follows:
 - 1) For Fiscal Years up to and including the first year in which the District's share of property taxes reaches 16 or 17%, the District's basis for sharing property taxes will not include those additional property taxes received under this Resolution; and
 - 2) In years subsequent to the first year in which the amount equals 16 or 17% of the allocable taxes from all the tax rate areas in the District, the District's basis for sharing property taxes will include those additional property taxes received under this Resolution;
- d) Approve and authorize the Chair to execute one of the Agreements to match the Resolution selected, decreasing the Gann appropriations limit for the County and increasing the Gann appropriations limit for the District;

Acting as the Board of Directors, Santa Barbara County Fire Protection District:

- e) Accept the property tax transfer as adopted by the Santa Barbara County Board of Supervisors Resolution referenced above; and
- f) Approve and authorize the Chair to execute one of the Agreements to match the Resolution selected, decreasing the Gann appropriations limit for the County and increasing the Gann appropriations limit for the District.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:25 AM - 11:03 AM (38 MIN.)

Received and filed staff presentation and conducted public hearing.

Acting as the Board of Supervisors:

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Acted on as follows:

- a) Considered and confirmed.
- b) Adopted findings.
- c) i), ii), iii) Adopted Resolution approving an average composite property tax share of 17%, and 25% of the property tax incremental growth as reflected in Attachment H of the County Executive Office Board Letter dated May 1, 2012.

RESOLUTION NO. 12-136

- c) iv) 1, 2) Approved.
- d) Approved; Chair to execute.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

Acting as the Board of Directors, Santa Barbara County Fire Protection District:

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, that this matter be Acted on as follows:

- e) Accepted.
- f) Approved; Chair to execute.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

3) DISTRICT ATTORNEY, FIRE, PROBATION, PUBLIC DEFENDER,
SHERIFF

12-00437

HEARING - Consider recommendations regarding the reallocation of future Local Public Safety Fund Proposition 172 Revenue, as follows: (EST. TIME: 30 MIN.)

a) Receive and file a presentation from the Proposition 172 Public Safety and Law Recipients on the proposal to reallocate future Local Public Safety Fund Proposition 172 revenue starting in Fiscal Year 2013/2014, in conjunction with the Property Tax Transfer to the Fire District; and

b) Adopt a Resolution (Option 3) re-allocating Proposition 172 monies by reducing the Fire Department’s share from 9.75% to zero, and increasing the other Proposition 172 Public Safety and Law Recipients share in a pro-rata fashion over a ten year timeframe.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

11:05 AM - 11:47 AM (42 MIN.)

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Carbajal, that this matter be Acted on as follows:

a) Received and filed.

b) Adopted option #3 (Attachment 3 of Board Letter dated May 22, 2012). Amended resolution as follows:

Directed that the Fire Department's share of Proposition 172 revenues will be decreased by 1.00% each year commencing in Fiscal Year 2014-15 and continuing over the next ten years.

RESOLUTION NO. 12-137

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Lavagnino

Noes: 1 - Supervisor Gray

4) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES 12-00205

HEARING - Consider recommendations regarding an Alcohol, Drug and Mental Health Services Department update, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file a report from the Alcohol, Drug and Mental Health Services Department in response to the Board of Supervisors' inquiries from the March 20, 2012 hearing; and
- b) Provide direction to the Department as appropriate.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:50 AM - 12:47 PM (57 MIN.)

Presented Alcohol, Drug and Mental Health Services Department update. No further action taken.

5) COUNTY EXECUTIVE OFFICE 12-00420

HEARING - Consider recommendations regarding the Alcohol, Drug and Mental Health Services Department (ADMHS) financial status and recommendations, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file a report on the proposed funding sources for known and estimated liabilities of ADMHS;
- b) Direct the County Executive Office to utilize unallocated funds in the amount of \$4,620,000.00 currently in the Audit Exception Fund to fund prior year Medi-Cal related cost report settlement liabilities as identified in this report; and
- c) Direct staff to return to the Board with a Budget Revision Request to transfer funds of \$4,793,045.00, when recognized from a favorable State Audit Settlement for Fiscal Year 2002/2003 to Fiscal Year 2005/2006 into the Audit Exception Fund, to be used to fund the projected ADMHS Fiscal Year 2011/2012 operating loss and for future estimated Medi-Cal related cost report settlement liabilities.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 1:57 PM - 2:43 PM (46 MIN.)

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Acted on as follows:

a) Received and filed.

b) and c) Directed.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

6) PROBATION

[12-00436](#)

HEARING - Consider recommendations regarding the Fiscal Year 2012/2013 Public Safety Realignment Plan, as follows: (EST. TIME: 1 HR.)

a) Receive and file a presentation on the Fiscal Year 2012/2013 Public Safety Realignment Plan;

b) Receive and file the Santa Barbara County Fiscal Year 2012/2013 Public Safety Realignment Act Plan developed by the Community Corrections Partnership (CCP) and approved by the Executive Committee of the CCP; and

c) Approve the Fiscal Year 2012/2013 Public Safety Realignment Act spending plan included in Section VII of the Plan.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 4:30 PM - 5:47 PM (1 HR. 17 MIN.)

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Wolf, seconded by Supervisor Gray, that this matter be Acted on as follows:

a) and b) Received and filed.

c) Approved.

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Gray

Absent: 1 - Supervisor Lavagnino

7) PLANNING AND DEVELOPMENT

12-00307

HEARING - Consider recommendations regarding an appeal filed by Jeff Nelson, the applicant, of the County Planning Commission’s determination that the Draft Mitigated Negative Declaration prepared for the Park Hill Estates v.2 project, located at 4700 Via Los Santos in the Goleta area involving APN 059-290-041, Case No. 10TRM-00000-00001, is inadequate and that a focused EIR to evaluate impacts on biological resources and fire protection is required, Second District, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Determine that the Mitigated Negative Declaration is inadequate and that an Environmental Impact Report (EIR) is required because there is substantial evidence in the record that the project may have a significant effect on the environment and there is a fair argument that a project may have a significant effect on the environment;
- b) Deny the appeal, thereby upholding the County Planning Commission’s action; and
- c) Direct staff to prepare a focused EIR on biological resources and fire protection and bring the project back to the County Planning Commission for further consideration upon completion of the EIR.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 2:47 PM - 4:17 PM (1 HR. 30 MIN.)

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Acted on as follows:

- a) **Determined.**
- b) **Denied the appeal.**
- c) **Directed. Further directed that staff, including Public Works and Fire, work to delineate what it will take to make Tuckers Grove Road acceptable for use in terms of the Fire Department and Public works, that it be brought into the maintained road system of the County and to determine the cost/funding of doing so.**

The motion failed by the following vote:

- Ayes:** 2 - Supervisor Carbajal, and Supervisor Farr
- Noes:** 2 - Supervisor Gray, and Supervisor Lavagnino
- Recused:** 1 - Supervisor Wolf

Adjourned at 5:47 PM

The Santa Barbara County Board of Supervisors Adjourned the Meeting of May 22, 2012 in Honor of Roland Lannini of Guadalupe

Adjourn to

Monday, June 11, 2012

Fiscal Year 2012/2013 Budget Hearings

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 22, 2012 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, May 24, 2012, at 5:00 PM and on Saturday, May 26, 2012, at 10:00 AM on CSBTV Channel 20.

The Public Hearings on the County's Proposed Budget for 2012/2013 are scheduled for Monday, June 11, 2012 and Wednesday, June 13, 2012 with the Board of Supervisors' final determination scheduled for Friday, June 15, 2012. However, the Board may choose to extend the hearings through June 22, 2012.

<http://www.countyofsb.org>