## **County of Santa Barbara**

#### **BOARD OF SUPERVISORS**



First District - Salud Carbajal Second District - Janet Wolf Third District - Doreen Farr, Vice Chair Fourth District - Joni Gray, Chair Fifth District - Steve Lavagnino

Chandra L. Wallar, County Executive Officer

# **Action Summary**

Tuesday, October 18, 2011 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, Redevelopment 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: <a href="https://www.countyofsb.org">www.countyofsb.org</a>.

#### 9:00 A.M. .... Convene to Regular Session

CONVENED: 9:01 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 October 11, 2011 Meeting

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

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

#### 12:00 P.M. .... Recess to Closed Session

#### **Report from Closed Session**

COUNTY COUNSEL

11-00040

Closed Session Agenda

No reportable action taken.

#### **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

#### A-1) SUPERVISOR CARBAJAL

**11-00785** 

Adopt a Resolution of Commendation honoring Casa del Herrero upon receiving national historic landmark status.

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

**RESOLUTION NO. 11-355** 

The motion carried by the following vote.

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

#### A-2) SUPERVISOR CARBAJAL

11-00786

Adopt a Resolution proclaiming the week of October 23, 2011 through October 30, 2011 as Red Ribbon Week in Santa Barbara County.

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

**RESOLUTION NO. 11-356** 

The motion carried by the following vote.

Ayes:

#### A-3) SUPERVISOR GRAY

11-00784

Adopt a Resolution of Commendation honoring Chief Assistant County Counsel Stephen D. Underwood upon his retirement from the Office of County Counsel after twenty-eight and a half years of faithful and distinguished service to the County of Santa Barbara.

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

**RESOLUTION NO. 11-357** 

The motion carried by the following vote.

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

#### A-4) SUPERVISOR WOLF

11-00747

Adopt a Resolution proclaiming the month of October 2011 as National Disability Employment Awareness Month in Santa Barbara County.

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

**RESOLUTION NO. 11-358** 

The motion carried by the following vote.

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

#### **Honorary Resolutions**

#### A-5) <u>SUPERVISOR GRAY</u>

11-00799

Adopt a Resolution of Commendation honoring Sheriff's Deputy, Special Duty Leslie G. Avila upon her retirement from the Sheriff's Department after over 25 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

Ayes:

#### A-6) SUPERVISOR GRAY

11-00800

Adopt a Resolution of Commendation honoring Sheriff's Deputy William A. Honeycutt upon his retirement form the Sheriff's Department after over 30 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

**RESOLUTION NO. 11-359** 

The motion carried by the following vote.

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

#### **Administrative Items**

#### A-7) <u>AUDITOR-CONTROLLER</u>

11-00789

Consider recommendations regarding contractual services for Parks Reservation System Implementation, as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with Simpler Systems, Inc. (a local vendor) for Parks Reservation System Implementation, in an amount not to exceed \$123,000.00;
- b) Approve a Budget Revision Request and Budget Journal Entry No. 0001839 increasing appropriation to Services and Supplies funded by Auditor-Controller Committed fund balance to cover contract costs; and
- c) Determine that the above actions are organizational or administrative activities of government that are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines.

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

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

The motion carried by the following vote.

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

#### A-8) COUNTY EXECUTIVE OFFICE

11-00787

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

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

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

#### A-9) HOUSING AND COMMUNITY DEVELOPMENT

11-00645

Consider recommendations regarding Shelter Operations General Fund Grant Agreements with Casa Esperanza Homeless Center and Good Samaritan Shelter, Inc., as follows:

- a) Approve and authorize the Chair to execute a Shelter Operations Grant Agreement with Casa Esperanza Homeless Center (a local vendor) to support and maintain existing service levels for the Casa Esperanza homeless shelter, for the period of July 1, 2011 through June 30, 2012, in an amount not to exceed \$159,581.00; and
- b) Approve and authorize the Chair to execute a Shelter Operations Grant Agreement with Good Samaritan Shelter, Inc. (a local vendor) to support and maintain existing service levels for the Good Samaritan homeless shelter, for the period of July 1, 2011 through June 30, 2012, in an amount not to exceed \$145,419.00.

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

a) and b) Approved; Chair to execute.

The motion carried by the following vote.

Ayes:

#### A-10) HOUSING AND COMMUNITY DEVELOPMENT

11-00801

Consider recommendations regarding a Grant Application for HUD Continuum of Care Homeless Assistance Programs, as follows:

- a) Authorize the Director of the Department of Housing and Community Development to submit a countywide comprehensive application to the United States Department of Housing and Urban Development (HUD), for the Fiscal Year 2011 Continuum of Care Homeless Assistance Programs; and
- b) Authorize the Director of Housing and Community Development to execute all certifications, standard forms, and other related documents required for submission of the 2011 Continuum of Care Grant Application.

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

a) Authorized the Director of Housing and Community Development to submit applications as reflected in the Housing and Community Development staff report dated October 18, 2011 with the exception of renewal applications on behalf of the Lompoc Housing and Community Development Corporation. Further directed staff to submit new grant applications sponsored by the County of Santa Barbara for transitional housing and supportive services for women and children in the Lompoc area.

b) Authorized.

The motion carried by the following vote.

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

County of Santa Barbara

#### A-11) HOUSING AND COMMUNITY DEVELOPMENT

11-00567

Consider recommendations regarding 2011/2012 Subrecipient Agreements for Federal Homeless Program Grants, as follows:

- a) Approve and authorize the Chair to execute a Subrecipient Agreement with Good Samaritan Shelter, Inc. (a local vendor) for the period of February 1, 2011 through January 31, 2012, in the amount of \$17,425.00; and
- b) Approve and authorize the Chair to execute a Subrecipient Agreement with Casa Esperanza Homeless Center (a local vendor) for the period of February 1, 2011 through January 31, 2012, in the amount of \$156,763.00

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

a) and b) Approved; Chair to execute.

The motion carried by the following vote.

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

#### A-12) PLANNING AND DEVELOPMENT

11-00731

Consider recommendations regarding Chapter 21 Appeals and Certificates of Compliance Process Ordinance Amendment, as follows:

- a) Make the findings for approval, including CEQA findings, of the proposed Ordinance;
- b) Approve the Notice of Exemption; and
- c) Consider the adoption (second reading) of an Ordinance (Case No. 11ORD-00000-00011) amending Chapter 21, Land Division, of the Santa Barbara County Code to update the procedures regarding accepting and processing of appeals, and add procedures for processing certificates of compliance.

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

- a) Made findings for approval;
- b) Approved; and
- c) Adopted.

**ORDINANCE NO. 4805** 

The motion carried by the following vote.

#### A-13) PUBLIC WORKS

11-00790

Consider recommendations regarding a mid-block crosswalk on Camino del Sur in the Isla Vista Area and on Sheffield Drive in the Montecito Area, Third and First Districts, as follows:

- a) Adopt a Resolution establishing a mid-block crosswalk on Camino del Sur, 285 feet south of Abrego Road in Isla Vista, Third District;
- b) Adopt a Resolution establishing a mid-block crosswalk on Sheffield Drive, 370 feet north of San Leandro in the Montecito Area, First District;
- c) Find that the proposed action is for the operation, leasing or licensing of an existing public structures, facilities, mechanical equipment or topographical feature, 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 pursuant to 14 CCR 15301; and
- d) Approve the filing of a Notice of Exemption.

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

a) Adopted.

**RESOLUTION NO. 11-360** 

b) Adopted.

**RESOLUTION NO. 11-361** 

- c) Authorized.
- d) Approved.

The motion carried by the following vote.

Ayes:

#### A-14) PUBLIC WORKS

11-00791

Approve and authorize the Chair to execute an Agreement with the City of Santa Barbara for the processing and sharing of revenues and costs associated with commingled recyclables delivered to County of Santa Barbara facilities.

A motion was made by Supervisor Carbajal, seconded by Supervisor Lavagnino, that this matter be Approved; Chair to Execute. The motion carried by the following vote.

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

#### A-15) PUBLIC WORKS

11-00792

Consider recommendations regarding the establishment of Disabled Persons Parking Zones on Broadway in the Old Town Orcutt Area, and Lillie Avenue in the Summerland Area, Fourth and First Districts, as follows:

- a) Adopt a Resolution to establish a Disabled Persons parking zone on Broadway in the Old Town Orcutt area, Fourth District;
- b) Adopt a Resolution to establish a Disabled Persons parking zone on Lillie Avenue in the Summerland area, First District;
- c) Find that the proposed action is for the operation, leasing or licensing of an existing public structures, facilities, mechanical equipment or topographical feature, 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 pursuant to 14 CCR 15301; and
- d) Approve the filing of a Notice of Exemption.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Withdrawn from the agenda. The motion carried by the following vote.

Ayes:

#### **Board of Supervisors**

#### A-16) SUPERVISOR FARR

11-00788

Approve the reappointment of Dr. Charles Blair to the Mosquito and Vector Management District of Santa Barbara County, term ending December 31, 2013, Third District.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Withdrawn from the agenda. The motion carried by the following vote.

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

#### **Hearing Requests**

#### A-17) PLANNING AND DEVELOPMENT

11-00795

Set hearing to consider recommendations regarding an appeal (Case No. 11APL-00000-00010) of the Planning Commission's decision to approve a Revision to the Diamond Rock Mine Conditional Use Permit (Case No. 11RVP-00000-00032), located on the West side of Highway 33, approximately 5.9 miles south of its junction with Highway 166 in the Cuyama/Ventucopa area, APN 149-220-002, First District, as follows: (Set hearing for 11/8/11. Time estimate 1 hour.)

- a) Make the required findings for approval of Case No. 11RVP-00000-00032, including the California Environmental Quality Act (CEQA) findings;
- b) Adopt the Addendum to Environmental Impact Report No. 05EIR-00000-00001 pursuant to Section 15164 of the State Guidelines for Implementation of CEQA;
- c) Deny the Appeal, Case No. 11APL-00000-00010, thereby upholding the County Planning Commission's approval of 11RVP-00000-00032; and
- d) Grant de novo approval of Case No. 11RVP-00000-00032 subject to the Conditions of Approval.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Set for a hearing, as follows: November 8, 2011 in Santa Maria (EST. TIME: 1 HR.). The motion carried by the following vote.

Ayes:

#### A-18) PUBLIC WORKS

11-00794

Set hearing to consider recommendations regarding a Resolution in support of the Old Town Orcutt Gateway Monument and Veterans' Memorial Public Art Project, Fourth District, as follows:

(Set hearing for 11/8/11. Time estimate 20 minutes.)

- a) Adopt a Resolution in support of the Old Town Orcutt Gateway Monument and Veterans' Memorial Public Art Project;
- b) Authorize the Director of Public Works to execute Caltrans applications, permits and agreements associated with construction and maintenance of the Old Town Orcutt Gateway Monument and Veterans' Memorial Public Art Project;
- c) Find that the proposed action is for the minor public or private alterations in the condition of land, water, and/or vegetation, and does not involve removal of healthy, mature, scenic trees, and involves negligible or no expansion of use beyond that which presently exists, and that the proposed action is therefore exempt from the California Environmental Quality Act pursuant to Section 15304 Class 4; and
- d) Approve the filing of a Notice of Exemption.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Withdrawn from the agenda. The motion carried by the following vote.

Ayes:

 Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Gray, and Supervisor Lavagnino

#### **Administrative Item**

#### A-19) PLANNING AND DEVELOPMENT

11-00802

Receive and file a report on the Lost City Guadalupe Dunes Archaeology Project.

A motion was made by Supervisor Farr, seconded by Supervisor Gray, that this matter be Received and filed. The motion carried by the following vote.

Ayes:

#### X-AGENDA REQUEST

#### X-1) SUPERVISOR FARR

11-00803

Approve a grant in the amount of 20,000.00 to the Guadalupe-Nipomo Dunes Center, which is a registered 501(c)(3) nonprofit organization.

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

That the Board of Supervisor add Item X-1) to the agenda. (4/5 Vote Required)

The motion carried by the following vote.

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

Lavagnino

Noes: 1 - Supervisor Wolf

Received and filed staff presentation and conducted public hearing.

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

Approved a loan in the amount of \$20,000 to the Guadalupe-Nipomo Dunes Center, a registered 501(c)(3) nonprofit corporation.

The motion carried by the following vote.

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

Lavagnino

Noes: 1 - Supervisor Wolf

#### Approval of Administrative Agenda

HEARING TIME: 9:02 A.M. - 10:45 A.M. (1 HR., 43 MIN.)

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Approve the Administrative Agenda as Amended. The motion carried by the following vote.

#### **Public Comment Period**

HEARING TIME: 10:55 A.M. - 11:10 A.M. (15 MIN.)

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) (11-00001)

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

RE: Truancy program and the initiation of a truancy program - Santa Barbara County District Attorney Joyce Dudley Addressed the Board.

RE: DUI drivers/Guadalupe police and car impounds - George Alvarez Addressed the Board.

RE: Racism /Truancy - Dr. Robert L. Johns Addressed the Board.

RE: County Budget and Retirement Costs - Andy Caldwell Addressed the Board.

#### <u>Departmental Agenda</u> Planning Items and Public Hearings

#### 1) PLANNING AND DEVELOPMENT

11-00607

HEARING - Consider the appeal filed by Ross Bagdasarian, Jr. and Janice F. Karman of the Montecito Planning Commission's denial of the Bagdasarian appeal, 10APL-00000-00016, and de novo denial of the Bagdasarian Land Use Permit, 09LUP-00000-00256, for existing unpermitted pedestrian bridges, grading and retaining walls within an Environmentally Sensitive Habitat, located at 1192 and 1194 East Mountain Drive, in the Montecito area, First District, as follows: (EST. TIME: 1 HR.)

- a) Deny the appeal, Case No. 11APL-00000-00009, thereby upholding the Montecito Planning Commission's denial of 10APL-00000-00016 and denial of Case No. 09LUP-00000-00256;
- b) Make the required findings for denial of the project, 09LUP-00000-00256, including CEQA findings;
- c) Determine the denial of the project is exempt from CEQA pursuant to CEQA Guidelines Section 15270; and
- d) Deny the project, Case No. 09LUP-00000-00256.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 12/6/11

HEARING TIME: 11:11 A.M. - 11:12 A.M. (1 MIN.)

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Continued, as follows: December 6, 2011 in Santa Barbara (EST. TIME: 1 HR.). The motion carried by the following vote.

#### 2) COUNTY EXECUTIVE OFFICE

11-00797

HEARING - Consider recommendations regarding a response to the Grand Jury Report entitled, "Where is the Truancy Program in Santa Barbara County? Truancy is Troubling . . . for Everyone," as follows: (EST. TIME: 15 MIN.)

- a) Adopt responses as the Board of Supervisors responses to the Grand Jury report entitled "Where is the Truancy Program in Santa Barbara County? Truancy is Troubling ... for Everyone"; and
- b) Approve and authorize the Chair to execute a letter included forwarding the responses to the Presiding Judge.

#### COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:13 A.M. - 11:30 A.M. (17 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) Adopted. Directed staff to continue the dialog with the District Attorney and the School Districts as the formation of any truancy program moves forward and, the Board established an Ad-Hoc Committee consisting of First District Supervisor Salud Carbajal and Fifth District Supervisor Steve Lavagnino to work with the District Attorney and other stakeholders involved in this process.
- b) Approved, Chair to execute.

The motion carried by the following vote.

#### 3) GENERAL SERVICES

11-00798

HEARING - Receive and file a staff presentation on construction progress of the Public Defender Remodel project 8661. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:31 A.M. - 11:40 A.M. (9 MIN.)

Conducted public hearing.

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, that this matter be Received and filed.

The motion carried by the following vote.

#### **Board Member Reports**

HEARING TIME: 1:05 P.M.

RE: Recognized Tina Meier of Human Resources for her volunteer efforts and contributions to the citizens of the County of Santa Barbara - Fourth District Supervisor Joni Gray Addressed the Board.

#### Adjourned at 1:06 p.m.

# The Board of Supervisors Adjourned the Meeting of October 18, 2011 in Honor of Russ Connors or Orcutt.

#### Adjourned to

**November 1, 2011** 

County Administration Building
Board Hearing Room
105 East Anapamu Street, Fourth Floor
Santa Barbara

#### **Announcements**

The meeting of Tuesday, October 18, 2011 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, October 20, 2011, at 5:00 PM and on Saturday, October 22, 2011, at 10:00 AM on CSBTV Channel 20.

THE BOARD OF SUPERVISORS WILL NOT BE MEETING ON TUESDAY, OCTOBER 25, 2011. THE NEXT REGULAR MEETING OF THE BOARD OF SUPERVISORS WILL BE ON TUESDAY, NOVEMBER 1, 2011 IN SANTA BARBARA.

http://www.countyofsb.org