

County of Santa Barbara
BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Agenda

Tuesday, January 7, 2014

9:00 AM

SANTA BARBARA COUNTY COURTHOUSE
MURAL ROOM
1100 ANACAPA ST.

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 Betteravia Government Center, Board of Supervisors' Conference Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.

Board Meeting Procedures

The Board of Supervisors is the legislative body for the County of Santa Barbara. Persons are encouraged to attend and testify before the Board on any matter appearing on the agenda. Correspondence to the Board regarding items appearing on the agenda should be directed to the Clerk of the Board, 105 East Anapamu Street, Room 407, Santa Barbara CA 93101. For information regarding the meetings of the Board of Supervisors including specific meeting times contact the Clerk of the Board at (805) 568-2240. Procedures for the conduct of the meetings of the Board of Supervisors can be found in Board Resolutions 09-368 (General) and 91-333 (Land Use).

The schedule of the Board of Supervisors, meeting agendas, supplemental hearing materials and minutes of the Board meetings are available on the Internet at: www.countyofsb.org

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

9:00 A.M.
Time Certain

Call to Order and Election of Chair and Vice Chair of the 2014 Board of Supervisors, and

Board of Directors of the Flood Control and Water Conservation District,
Board of Directors of the Water Agency,
Board of Directors of the In Home Supportive Services Public Authority, and
Successor Agency to the Former Santa Barbara County Redevelopment Agency

Presentation of Gavels

Remarks, Salud Carbajal, Chair, 2013 Board of Supervisors

Remarks, Chair, 2014 Board of Supervisors

Approval of Minutes of the December 16, 2013 Meeting

12:00 P.M. Recess to Closed Session

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

Report from Closed Session

[14-00009](#)

Closed Session Agenda 2014

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 LAVAGNINO [14-00013](#)**

Adopt a Resolution of Commendation honoring Christina Lopez of the Public Works Department as the January 2014 Santa Barbara County Employee of the Month.

Administrative Items**A-2) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [14-00012](#)**

Consider recommendations regarding Fiscal Year 2013/2014 Maxim Board Contract, as follows:

a) Approve and authorize the Chair to execute a Contract with Maxim Healthcare Services, Inc (not a local vendor) for temporary staffing services, to increase the total Contract amount by \$250,000.00, for a new Contract with an amount not to exceed \$350,000.00 through June 30, 2014 that cancels, nullifies, and supersedes Purchase Order CN15561; and

b) Determine that the approval of the Contract is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), finding that the activities are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activities in question may have a significant effect on the environment, the activities are not subject to CEQA.

A-3) AUDITOR-CONTROLLER[14-00018](#)

Receive and file the Auditor-Controller's first required Review Report on the Santa Barbara County Recorder's Social Security Number Truncation Program.

ADDENDUM**Item A-4) on the Administrative Agenda is amended, as follows:**A-4) COMMUNITY SERVICES[14-00024](#)

Consider recommendations regarding County Inclusionary Housing Ordinance - Affordable Housing Inclusionary Housing Requirements and In-Lieu Inclusionary Housing Fees Annual Updates, as follows:

a) Receive and file the "Affordable Housing In-Lieu Fee Update" memorandum providing the Board with an annual update and adjustments of the County's in-lieu inclusionary housing fees, pursuant to the recently adopted County of Santa Barbara Inclusionary Housing Ordinance No. 4855 with fees reflective of current market values, effective July 23, 2013;

b) Receive and file the "2013/2014 Annual Adjustment of Inclusionary Housing Requirements" memorandum, providing the Board with an annual update and adjustments of the County's inclusionary housing requirements; and

c) Determine that receipt and filing of annual updates and adjustments to Inclusionary Housing requirements and In-Lieu Inclusionary Housing Fees are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline section 15061(b)(3), finding that the activities are covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activities in question may have a significant effect on the environment, the activities are not subject to CEQA, and direct staff to file a Notice of Exemption.

A-5) COUNTY COUNSEL[14-00025](#)

Consider recommendations regarding an Agreement for Professional Legal Services with The Zappia Law Firm, A Professional Corporation as Outside Counsel for Labor Relations Matters, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute an Agreement for Professional Legal Services between the County of Santa Barbara and The Zappia Law Firm, A Professional Corporation, in an amount not to exceed \$50,000.00; and

b) Find that the proposed Contract is not a project under California Environmental Quality Act (CEQA) Guideline 15378(b)(4), in that it does not involve a commitment to any specific project which may result in a potentially significant impact to the environment.

A-6) COUNTY EXECUTIVE OFFICE[14-00015](#)

Adopt a Resolution approving regulations adopted by the Board of Retirement in order to retroactively amend the Santa Barbara County Employees' Retirement System (SBCERS) Plan to comply with the applicable requirements of federal law.

A-7) PROBATION

[14-00026](#)

Consider recommendations regarding a donation of \$10,000.00 from the Bartlett Family Foundation for the exclusive use of the Los Prietos Boys Camp Scholarship Fund, as follows:
(4/5 Vote Required)

a) Authorize the Chief Probation Officer to accept the donation of \$10,000.00 from the Bartlett Family Foundation for the exclusive use of the Los Prietos Boys Camp Scholarship fund; and

b) Approve Budget Revision Request No. 0003210 recognizing the revenue and appropriating it into the Los Prietos Boys Camp Scholarship fund.

A-8) PUBLIC HEALTH

[14-00019](#)

Consider recommendations regarding an Amendment to the SUNRx Prescription Drug Administrative Services Agreement and Agreement with Walgreens Company, as follows:
(4/5 Vote Required)

a) Approve and authorize the Chair to execute the First Amendment (effective January 1, 2014) to the SUNRx Prescription Drug Administrative Services Agreement for the ongoing development and administration of a 340B Pharmacy Network administered by the Public Health Department;

b) Approve and authorize the Chair to execute the 340B Pharmacy Services Agreement with the Walgreens Company, effective January 1, 2014 through December 31, 2016, to provide pharmaceuticals to Public Health Department eligible patients under the 340B federal discount drug program for Fiscal Years 2013/2014, 2014/2015 and 2015/2016. This Agreement is projected to generate approximately \$50,000.00 for the remainder of Fiscal Year 2013/2014 and up to \$200,000.00 revenue annually thereafter;

c) Approve Budget Revision Request No. 0003212 to amend the Fiscal Year 2013/2014 adopted budget for projected unanticipated revenue of \$50,000.00 for pharmaceutical savings share revenues under the 340B Pharmacy Services Agreement with the Walgreens Company; and

d) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(4), since this is a government fiscal activity that does not involve commitment to a specific project that may result in a potentially significant physical impact on the environment.

A-9) PUBLIC HEALTH

[14-00021](#)

Consider recommendations regarding the Affordable Care Act: Final Adoption of 60/40

Formula Choice for Realignment Redirection, as follows:

- a) Adopt a Resolution declaring to the State of California, by the established deadline of January 22, 2014, that Santa Barbara County intends to utilize the 60/40 Formula for determining the amount of the 1991 Health Realignment redirection; and

- b) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(4), since the recommended actions are government fiscal activities which do not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-10) PUBLIC HEALTH[14-00020](#)

Consider recommendations regarding a Waste Tire Enforcement Grant Application pursuant to Public Resources Code Sections 40000 et seq through Fiscal Year 2018/2019, as follows:

- a) Adopt a Resolution authorizing the Public Health Department's Director of the Environmental Health Services to apply for annual Waste Tire Enforcement Grants from CalRecycle for Fiscal Years 2014/2015 through 2018/2019; and
- b) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(4), since the recommended actions are government fiscal activities which do not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-11) PUBLIC WORKS[14-00011](#)

Consider recommendations regarding an easement for sewer facilities from the Santa Barbara Botanic Garden, First District, as follows:

- a) Accept the permanent easement deed to the real property conveyed from the Santa Barbara Botanic Garden (owner) to the County of Santa Barbara for an easement on a portion of APNs 023-060-023 and 023-060-038 by authorizing the Clerk of the Board to execute the Certificate of Acceptance; and
- b) Find that pursuant to the California Environmental Quality Act (CEQA) Guidelines CCR Section 15162, no substantial changes are proposed, there are no substantial changes in circumstances and no new information of substantial importance has come to light regarding environmental effects of the project or feasibility of mitigation measures and, therefore this action is within the scope of the project covered by the Environmental Impact Report (EIR) for the Santa Barbara Botanic Garden Vital Mission Plan approved and adopted by the Board on June 1, 2010, and therefore, no subsequent environmental document is required.

A-12) PUBLIC WORKS[14-00014](#)

Consider recommendations regarding an Amendment to the current Contract between Clean Harbors and County of Santa Barbara, as follows:

- a) Approve and authorize the Chair to execute an Amendment to the current Contract between Clean Harbors and the County of Santa Barbara to allow Clean Harbors to seek payment for paint-related management costs from PaintCare (a paint industry non-profit) potentially resulting in a cost savings of \$75,000.00 per year to the County; and
- b) Find that the proposed Contract amendment does not constitute a "Project" within the meaning of California Environmental Quality Act (CEQA), pursuant to 14 CCR 15378 (b)(5) (administrative activity of government).

A-13) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT [14-00010](#)

Acting as the Board of Directors, Laguna County Sanitation District:

Consider recommendations regarding the purchase of filtration membranes at the Laguna County Sanitation District Wastewater Reclamation Plant, Third District, as follows:

- a) Authorize the County Purchasing Agent to procure membranes from GE Water and Process Technologies (parent company of Zenon), not a local vendor, without being required to conduct a formal bid process through June 30, 2018; and
- b) Find that the proposed action is for the minor alteration of existing public facilities involving no expansion of the use beyond that which presently exists, that the proposed action is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to 14CCR 15301 and approve the filing of a Notice of Exemption on that basis.

A-14) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY [14-00016](#)

Acting as the Board of Directors, Water Agency:

Consider recommendations regarding a Joint Funding Agreement for the Cooperative Stream Gaging and Groundwater Monitoring Program, as follows:

- a) Approve and authorize the Chair to execute the Joint Funding Agreement with the United States Geological Survey (USGS) to continue the countywide cooperative Stream Gaging and Groundwater Monitoring Program from November 1, 2013 through October 31, 2014 in the amount of \$421,230.00 of which \$305,330.00 will be funded by the County Water Agency; and
- b) Find that the Cooperative Stream Gaging and Groundwater Monitoring Program is exempt under California Environmental Quality Act (CEQA) guidelines Section 15306, basic data collection, research, experimental management, and resources evaluation activities; and approve the filing of a Notice of Exemption on that basis.

A-15) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND
WATER CONSERVATION DISTRICT [14-00017](#)

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

Consider recommendations regarding temporary assignment of Flood Control Easements for the Lower Mission Creek Flood Control Project, First District, as follows:

- a) Approve and authorize the Public Works Director to execute the temporary assignment of Flood Control Easements for the construction of the Cota Street Bridge Project and adjacent elements of the Lower Mission Creek Flood Control Project (Project) for a period April 15, 2014 through June 15, 2016; and

b) Find that pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15162, no substantial changes are proposed, there are no substantial changes in circumstances and no new information of substantial importance has come to light regarding environmental effects of the project or feasibility of mitigation measures and, therefore this action is within the scope of the project covered by the Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Lower Mission Creek Flood Control Project as well as the Findings, and Statement of Overriding Considerations approved and adopted by the Board on May 10, 2011, and therefore, no subsequent environmental document is required.

Hearing Requests

A-16) COUNTY EXECUTIVE OFFICE

[14-00030](#)

Set a hearing to consider, accept and forward to the Office of the Governor, Santa Barbara County Board of Supervisor nomination(s) of at least one member of a Board of Supervisors and/or at least one member of a City Council from San Luis Obispo, Santa Barbara and Ventura Counties for appointment as the South Central Coast Region representative of the California Coastal Commission.

(Set hearing for January 21, 2014. Time estimate: 30 minutes)

A-17) PLANNING AND DEVELOPMENT

[14-00027](#)

Set a hearing to consider recommendations regarding the allocation of 2014 Coastal Resource Enhancement Fund (CREF) Grants, as follows:

(Set hearing for February 18, 2014. Time estimate: 2 hours)

a) Receive staff's recommendations for the 2014 CREF awards and take public testimony; and

b) Set a hearing on the Departmental Agenda of March 4, 2014 to consider recommendations, as follows: (Time estimate: 30 minutes)

i) Approve 2014 CREF awards that will be provided in a forthcoming staff report; and

ii) Direct staff to prepare the required contractual agreements with grantees, including final grant conditions required, for approval by the Board of Supervisors of the non-County CREF awards.

Approval of Administrative Agenda

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE[14-00029](#)

HEARING - Consider Board of Supervisor appointments to Boards, Commissions and Committees, as follows: (EST. TIME: 15 MIN.)

- a) Mental Health Commission - one regular member, one alternate member;
 - b) Area Agency on Aging (Central Coast Commission for Senior Citizens) - one regular member to Advisory Council;
 - c) Library Advisory Committee - one regular member;
 - d) Retirement Board of the Santa Barbara County Employees Retirement System - one regular member;
- Note: Supervisor Wolf is Regular Member appointed to term ending December 31, 2013
- e) Community Action Commission of Santa Barbara County - one regular member, one alternate member;
 - f) CenCal Health - one regular member, one alternate member;
 - g) Beach Erosion Authority for Control Operations and Nourishment (BEACON) - two regular members;
 - h) Central Coast Collaborative on Homelessness - two regular members as Co-Chairs;
 - i) Law Library Board of Trustees - Chair as Ex-Officio Member;
 - j) K.I.D.S. Network Policy Council - two members to serve as Chair and Vice-Chair;
 - k) Legislative Program Committee - two regular members;
 - l) Debt Advisory Committee - one regular member, one alternate member;
 - m) Adult and Aging Network - one Chair of the Policy Council and one Co-Chair;
 - n) Juvenile Justice Coordination Council - two regular members, one North County, one South County;
 - o) First Five Children and Families Commission of Santa Barbara County - one regular member, one alternate member;

- p) Multi-jurisdictional Solid Waste Task Force - two regular members;
- q) Indian Gaming Local Community Benefit Committee - two regular members, one alternate member;
- r) National Association of Counties (NACO) - one regular member, one alternate member;
and
- s) California State Association of Counties (CSAC) - one regular member, one alternate member.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

2) COUNTY CLERK-RECORDER-ASSESSOR [14-00028](#)

HEARING - Consider recommendations regarding County Facilities Maintenance Ordinance Certification, as follows: (EST. TIME: 45 MIN.)

a) Accept the County Clerk, Recorder and Assessor/Registrar of Voters' certification of sufficiency of the County Facilities Maintenance Ordinance Initiative Petition and take one of the following actions as required by Elections Code Section 9118:

i) Adopt the Ordinance without alteration at the January 7, 2014 Board Meeting at which the certification of the petition is presented, or within 10 days after it is presented; or

ii) Order the proposed Ordinance to be submitted without alteration to the voters of the County at the June 3, 2014 Statewide Direct Primary Election; or

iii) Order a report from appropriate staff agencies concerning the fiscal impacts, consistency with county plans, and any other matter of interest to the Board pursuant to Elections Code Section 9111 at the January 7, 2014 Board Meeting. (Pursuant to Elections Code Section 9111(b) the report shall be presented to the Board of Supervisors not later than 30 days from the date of this meeting. When the report is presented to the Board of Supervisors, the Board has 10 days to either adopt the Ordinance without alteration or order the proposed Ordinance to be submitted to the voters of the County at the June 3, 2014 Statewide Direct Primary Election.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

3) COUNTY EXECUTIVE OFFICE[14-00032](#)

HEARING - Consider recommendations regarding County Facilities Maintenance Ordinance ballot options, as follows: (EST. TIME: 30 MIN.)

a) Consider options related to providing ballot information related to the County Facilities Maintenance Ordinance Initiative; and

b) Discuss and provide direction to staff at the hearing of January 7, 2014 or at a future meeting within the timelines outlined.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Reception to follow Departmental Item No. 4)4) GENERAL SERVICES[14-00031](#)

HEARING - Receive and file a presentation regarding history of the Santa Barbara County Courthouse and Mural Room. (EST. TIME: 20 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Adjourn to**Tuesday, January 14, 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, January 7, 2014 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, January 9, 2014, at 5:00 PM and on Saturday, January 11, 2014, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>

