

County of Santa Barbara
BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, October 13, 2015

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.

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.

9:00 A.M. Convened to Regular Session

Roll Call

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

Pledge of Allegiance

Approval of Minutes of the October 6, 2015 Meeting

A motion was made by Supervisor Carbajal, seconded by Supervisor Farr, to approve the Minutes. The motion carried by the following vote:

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

12:00 P.M. Recessed to Closed Session

Report from Closed Session

[15-00009](#)

Closed Session Agenda

No reportable action taken.

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) (15-00001)

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

RE: County Budget/ Public Safety - Dr. Robert L. Johns addressed the Board.

RE: Mental Health Services in County Jail - Terri Stricklin addressed the Board.

RE: County Labor Negotiations - Bruce Corsaw addressed the Board.

RE: Science Based Decision Making - Geof Bard addressed the Board.

RE: Pledge of Allegiance - Ethan Shenkman addressed the Board.

RE: Global Warming/Super Storms - Richard Robinson addressed the Board.

RE: Announced a meeting of the 'Santa Barbara County Disaster Council' for Tuesday, October 27, 2015 in the Board of Supervisors Conference Room at 9:00 AM where they will discuss issues such as but not limited to oil spills, OEM Structure, Drought, and El Nino - Supervisor Wolf addressed the Board.

County Executive Officer's Report

No report from the County Executive Officer.

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 [15-00809](#)

Adopt a Resolution of Commendation honoring Altrusa International of Santa Maria for 55 years of service to the City of Santa Maria, County of Santa Barbara.

A motion was made by Supervisor Farr, seconded by Supervisor Adam, that this matter be Adopted.

RESOLUTION NO. 15-253

The motion carried by the following vote:

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

A-2) SUPERVISOR WOLF [15-00817](#)

a) Adopt a Resolution proclaiming the week of October 19, 2015 through October 24, 2015 as Flood Preparedness Week in Santa Barbara County; and

b) Receive and file an update on County El Niño planning.

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

a) Adopted.

RESOLUTION NO. 15-254

b) Received and filed.

The motion carried by the following vote:

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

Administrative Items

A-3) COMMUNITY SERVICES

[15-00811](#)

Consider recommendations regarding a Grant Agreement between the County of Santa Barbara and the City of Santa Barbara for Fiscal Year (FY) 2015-2016 Arts Commission Programs and Projects, as follows:

- a) Approve and authorize the Chair to execute an agreement with the City of Santa Barbara for the period of July 1, 2015 through June 30, 2016, for implementation of the Community Arts grant program, Community Events and Festival funding, Organizational Development grants, and staffing costs in the amount of \$461,000.00; and

- b) Determine that the approval and execution of the Agreement is not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), finding that the action is a 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, and direct staff to file a Notice of Exemption.

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

- a) Approved; Chair to execute; and**

- b) Approved.**

The motion carried by the following vote:

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

A-4) COMMUNITY SERVICES

15-00813

Consider recommendations regarding California Coastal Commission Coastal Development Permit (CDP) Indemnity Agreement, Goleta Beach Project, Second District, as follows:

- a) Acknowledge receipt of and accept the CDP No. 4-14-0687 for the Goleta Beach Project, including all standard and special conditions imposed;
- b) Approve and authorize the Director of Community Services or designee to execute the CDP acknowledgment thereby accepting the terms and conditions of the CDP;
- c) Approve and authorize the Chair to execute the Indemnity Agreement incorporating all of the terms of Special Conditions No. 5 and No. 6 of the CDP for the Goleta Beach Project; and
- d) Determine that the approval and execution of the CDP and Indemnity Agreement are statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code section 21080.5 and the Guidelines for the Implementation of CEQA, 14 CCR Section 15002(l) and 15251(c) (certified regulatory plan in lieu of EIR), and direct staff to post a Notice of Exemption on that basis.

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

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

The motion carried by the following vote:

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

A-5) COMMUNITY SERVICES

15-00816

Consider recommendations regarding initiation of annexation of APN 107-250-008 (Bradley Village Tract Map 14,739 - Orcutt Community Plan Key Site 30) to County Service Area 5, Fourth District, as follows:

a) Adopt a Resolution initiating proceedings to annex territory known as APN 107-250-008 (Bradley Village Tract Map 14,739 - Orcutt Community Plan Key Site 30) to County Service Area 5; and

b) Find that the adoption of a Resolution to initiate annexation is not a “Project” within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5), in that they are governmental administrative activity that will not result in physical changes in the environment and direct staff to file a Notice of Exemption on that basis.

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

a) Adopted.

RESOLUTION NO. 15-255

b) Approved.

The motion carried by the following vote:

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

A-6) COUNTY EXECUTIVE OFFICE**15-00815**

Consider recommendations regarding an update on Proposition 47 - The Safe Neighborhoods and Schools Act, as follows:

- a) Receive and file an update on impacts to departments of Proposition 47 - The Safe Neighborhoods and Schools Act; and
- b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines, because they consist of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

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

- a) Received and filed; and**
- b) Approved.**

The motion carried by the following vote:

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

A-7) GENERAL SERVICES**15-00812**

Consider recommendations regarding a donation of surplus County vehicle No. 4590 to the City of Guadalupe Police Department, Third District, as follows: (4/5 Vote Required)

- a) Approve the donation of surplus County vehicle No. 4590 to the City of Guadalupe Police Department; and
- b) Find that the proposed action is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment and is therefore not a project under California Environmental Quality Act (CEQA) Guidelines 14 Section 15378(b)(5), and approve and direct staff to file a Notice of Exemption on that basis.

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

- a) and b) Approved.**

The motion carried by the following vote:

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

A-8) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY

15-00801

Acting as the Board of Directors, Water Agency:

Consider recommendations regarding Santa Barbara County Water Agency's Water Management Plan, as follows:

- a) Adopt a Resolution Adopting the Santa Barbara County Water Agency's 2013 through 2018 Water Management Plan and authorizing the Public Works Director, or designee, to file the plan with the United States Bureau of Reclamation; and
- b) Find that the Santa Barbara County Water Agency Water Management Plan is exempt under California Environment Quality Act 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 motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Acted on as follows:

a) Adopted.

RESOLUTION NO. 15-256

b) Approved.

The motion carried by the following vote:

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

A-9) PLANNING AND DEVELOPMENT15-00768

Consider the Planning Commission's recommendation for approval of Case Nos. 14RZN-00000-00002, and 14AGP-00000-00013, Serena San Marcos Rezone and Agricultural Preserve, (APN 079-030-019 and -020) located approximately 1,500 feet southwest of the intersection of Live Oak Road and Highway 154, in the Santa Ynez area, Third District, as follows: (EST. TIME: 5 MIN.)

a) Consider recommendations regarding the Rezone, as follows:

i) Make the required findings, including California Environmental Quality Act (CEQA) findings for approval of the project;

ii) Determine that the Rezone is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), included in the Notice of Exemption; and

iii) Approve a rezone (14RZN-00000-00002) and adopt an Ordinance amending the zoning map for the subject parcel from Agriculture (100-AG) to Agriculture, 100 acres minimum parcel size (AG-II-100); and

b) Approve the creation of one new nonprime Agricultural Preserve Contract (Case No. 14AGP-00000-00013), as follows:

i) Determine that the creation of Agricultural Preserve is exempt from CEQA pursuant to CEQA Guidelines Section 15317 included in the Notice of Exemption;

ii) Approve and authorize the Chair to execute a contract, once the rezone takes effect, thirty days from the date of its passage creating Agricultural Preserve, 14AGP-00000-00013; and

iii) Adopt a Resolution creating Agricultural Preserve, 14AGP-00000-00013 upon the effective date of the rezone.

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

a) i) and ii) Approved;

iii) Adopted.

ORDINANCE NO. 4939

b) and i) Approved;

ii) Approved; Chair to execute;

iii) Adopted.

RESOLUTION NO. 257

The motion carried by the following vote:

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

A-10) SHERIFF

15-00818

Approve and execute an Application for Destruction of Jail Records no longer required by law to be maintained. (4/5 Vote Required)

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

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

Hearing Requests

A-11) PUBLIC HEALTH

15-00819

Set a hearing to consider recommendations regarding a revised Ordinance to amend "Chapter 7 - Animals and Fowl" of the Santa Barbara County Code, as follows:
(Set a hearing for November 3, 2015. Time estimate: 1 hour)

a) Receive and file a presentation regarding proposed amendments to Chapter 7 - Animals and Fowl;

b) Approve all or part of the proposed amendments to Chapter 7 of the Santa Barbara County Code, as follows:

i) Approve amendments to Article 1. - In General; Article II. - Restraint and Impoundment; Article III. - Licenses and Tags;

- ii) Approve amendments to Article IV. - Rabies Suspect Animals; Article V. - Beekeeping;
- iii) Approve amendments to Article VI. - Dog Noise; Article VII. - Use of Steel-Jawed Leg-Hold Traps; and
- iv) Approve amendments to Article VIII. - Vicious and Restricted Dogs;
- c) Consider the introduction (first reading) of an Ordinance that includes the amendments to Chapter 7 of the Santa Barbara County Code that were approved pursuant to Recommended Action (b) above;
- d) Read the title of the Ordinance into the record and waive full reading of the Ordinance; and
- e) Continue to the Administrative Agenda of November 17, 2015 to consider recommendations, as follows:
 - i) Consider the adoption (second reading) of an Ordinance amending Chapter 7 of the Santa Barbara County Code with an effective date of January 1, 2016; and
 - ii) Determine that adoption of an Ordinance amending Chapter 7 of the Santa Barbara County Code is 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 activity may have a significant impact on the environment, and direct staff to file the Notice of Exemption.

A motion was made by Supervisor Farr, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: November 3, 2015 in Santa Barbara (EST. TIME: 1 HR.). The motion carried by the following vote:

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

A-12) PUBLIC WORKS15-00814

Consider recommendations regarding initiation of annexation of APN 107-250-008 (Bradley Village Tract Map 14,739 - Orcutt Community Plan Key Site 30) to the Santa Barbara North County Lighting District and Establishing a Zone of Benefit, Fourth District, as follows:

- a) Adopt a Resolution initiating proceedings to annex territory known as APN 107-250-008 (Bradley Village Tract Map 14,739 - Orcutt Community Plan Key Site 30) to the Santa Barbara North County Lighting District;
- b) Find that the adoption of a Resolution to initiate annexation is not a “Project” within the meaning of the California Environmental Quality Act (CEQA), pursuant to 14 CCR 15378 (b)(5), in that they are governmental administrative activities that will not result in physical changes in the environment and direct staff to file a Notice of Exemption on that basis;
- c) Adopt a Resolution initiating proceedings to form a zone of benefit and establish assessments within the North County Lighting District to fund street lighting for Bradley Village (Tract 14,739); and
- d) Set a hearing on the Departmental Agenda of November 10, 2015 to consider recommendations, as follows:
(Set a hearing for November 10, 2015. Time estimate: 10 min.)
 - i) Receive and file testimony of any written protests or support;
 - ii) Count the written property owner ballot(s); and
 - iii) Adopt a Resolution creating a zone of benefit for Bradley Village (Tract Map 14,739) within the North County Lighting District and imposing an annual assessment for streetlighting services should there not be a majority protest; and
- e) Find that the adoption of Resolutions to initiate formation and forming a zone benefit assessment is statutorily exempt from California Environmental Quality Act pursuant the 14 CCR 15273(a)(1) for the establishment of rates for the purposes of meeting operating expenses and direct staff to file and post a Notice of Exemption on that basis.

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

a) Adopted.

RESOLUTION NO. 15-258

b) Approved;

c) Adopted.

RESOLUTION NO. 15-259

d) i) ii) iii) Set hearing for November 10, 2015 in Santa Maria on the Departmental Agenda.

e) Approved.

The motion carried by the following vote:

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

Departmental Agenda
Planning Items and Public Hearings

1) SUPERVISOR ADAM

15-00810

HEARING - Consider recommendations regarding an Ordinance Amending Chapter 10, Article I, entitled "Administration Organization and Enforcement", Section 10-1.6 of the County Code Related to Structures Exempt from Building Permits, as follows: (EST. TIME: 15 MIN.)

a) Receive and file a presentation regarding the amendment of Chapter 10, Article I, entitled "Administration Organization and Enforcement," section 10-1.6;

b) Approve the introduction (First Reading) of an Ordinance amending Chapter 10 of the Santa Barbara County Code to amend Article I, entitled "Administration Organization and Enforcement," section 10-1.6;

c) Read the title of the Ordinance and waive full reading of the Ordinance;

d) Direct staff to initiate and process amendments to the LUDC as part of the 2015 General Package Ordinance Amendments to recognize hoop structures and shade structures as allowed uses in agriculturally zoned property; and

e) Set a hearing on the Administrative Agenda of October 20, 2015 to consider recommendations, as follows:

i) Consider the adoption (Second Reading) of an Ordinance amending Chapter 10 of the Santa Barbara County Code to amend Article I, entitled "Administration Organization and Enforcement," section 10-1.6; and

ii) 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.

HEARING TIME: 11:05 AM - 12:21 PM (1 HR. 16 MIN.)

Received and filed presentation and conducted public hearing.

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

a) Received and filed.

b) and c) Read title, waived further reading of the ordinance. Introduction approved amended as follows:

Incorporating the alternate Ordinance language as reflected in Fourth District Memorandum and late distribution material dated October 9, 2015, and setting a not to exceed height limit of 36 feet for shade structures.

Adoption (Second Reading) set for October 20, 2015 in Santa Barbara on the Administrative Agenda.

d) Directed.

e) Set for October 20, 2015 in Santa Barbara on the Administrative Agenda.

The motion failed by the following vote:

Ayes: 2 - Supervisor Adam, and Supervisor Lavagnino

Noes: 3 - Supervisor Carbajal, Supervisor Wolf, and Supervisor Farr

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

Directed appropriate staff including but not limited to Planning and Development, Building and Safety, Agricultural Commissioner (including Farm Advisors) and County Counsel to return to the Board with recommendations and options for moving forward based on the issues raised at the hearing on October 13, 2015 as well as other concerns. Further directed staff to look at potential funding options for this effort.

The motion carried by the following vote:

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

2) PLANNING AND DEVELOPMENT

15-00772

HEARING - Consider the Planning Commission’s recommendation to decline to accept the El Grosso General Plan Amendment application for processing (Case No. 14GPA-00000-00014), APN 101-120-023, located approximately 500 feet northeast of the Highway 101/Bell Street intersection, commonly known as 9150 Highway 101, in the Los Alamos Community Planning area, Third District, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Decline to accept the General Plan Amendment for processing; and
- b) Determine that declining to accept the General Plan Amendment application for processing is not a project under the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378(b)(5), because the action is an administrative activity that will not result in direct or indirect physical changes to the environment.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 12:35 PM - 2:00 PM (1 HR. 25 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) Declined; and**
- b) Approve.**

The motion carried by the following vote:

Ayes: 3 - Supervisor Carbajal, Supervisor Wolf, and Supervisor Farr

Noes: 2 - Supervisor Adam, and Supervisor Lavagnino

Adjourned at 2:00 PM

Adjourned to

Tuesday, October 20, 2015

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, October 13, 2015 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, October 15, 2015, at 5:00 PM and on Saturday, October 17, 2015, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>