

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, November 13, 2012

9:00 AM

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**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.

9:00 A.M. Convened to Regular Session

Roll Call

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

Pledge of Allegiance

Approval of Minutes of the November 6, 2012 Meeting

A motion was made by Supervisor Gray, 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

12:00 P.M. Recessed to Closed Session

Report from Closed Session

COUNTY COUNSEL

[12-00009](#)

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) (12-00001)

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

Re: Special Events Ordinance/Planning Process - Andy Caldwell 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.

9:01 AM - 9:50 AM (49 MIN.)

Resolutions to be Presented at 9:00 A.M.

A-1) SUPERVISOR FARR [12-00862](#)

Adopt a Resolution proclaiming November 2012 as National Adoption and Permanency Month in Santa Barbara County.

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

RESOLUTION NO. 12-262

The motion carried by the following vote.

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

Honorary Resolutions

A-2) SUPERVISOR WOLF [12-00881](#)

Adopt a Resolution of Commendation honoring Dr. Dean Nevins for his eight years of service to the Goleta Union School District Board of Trustees.

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

RESOLUTION NO. 12-263

The motion carried by the following vote.

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

Administrative Items

A-3) AGRICULTURAL COMMISSIONER [12-00857](#)

Consider recommendations regarding the Expenditure of Weights and Measures revenue, as follows: (4/5 Vote Required)

- a) Approve the Budget Revision Request of the Agricultural Commissioner/Weights & Measures Department to increase revenue (LI 3279) in the amount of \$412,040.00 from device registration and scanner fees; and
- b) Adopt a Personnel Resolution, effective November 12, 2012, adding three (3.0 FTE) Weights and Measures Inspector I/II/III positions, Range 7680, \$3,511.00-\$4,286.00 per month; Range 7681, \$4,074.00-\$4,973.00 per month; and Range 7682, \$4,501.00-\$5,495.00 per month, to be included in the Fiscal Year 2012/2013 adopted budget.

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

- a) **Approved; and**
- b) **Adopted.**

RESOLUTION NO. 12-264

The motion carried by the following vote.

- Ayes:** 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, and Supervisor Gray
- Noes:** 1 - Supervisor Lavagnino

A-4) AUDITOR-CONTROLLER [12-00868](#)

Receive and file the Santa Barbara County Final Budget as prescribed by the State Controller for Fiscal Year 2012/2013.

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

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

A-5) AUDITOR-CONTROLLER

12-00877

Consider recommendations regarding the County of Santa Barbara’s Adopted Budget Schedules for the Fiscal Year Ended June 30, 2013, as follows:

a) Receive and file the County of Santa Barbara’s Adopted Budget Schedules for the Fiscal Year ended June 30, 2013;

b) Approve a Final Budget Adjustment for Fiscal Year 2012/2013 to revise appropriations in the amount of \$181,092,534.00 in the General Fund, to provide for the General Fund Contribution (GFC) to departments. This entry will be recorded as Intra-fund transfers - GFC (in) in the receiving departments and as an Intra- fund transfers - GFC (out) from General County 991 revenues, with a net impact of \$0.00 on the General Fund;

c) Approve a Final Budget Adjustment for Fiscal Year 2012/2013 to transfer appropriations of \$28,833,694.00 from Department 990 General County Programs to Department 991 General County Revenues for GFC Operating Transfers to Non-General-Fund Funds. This entry would result in a net impact of \$0.00 to the General Fund; and

d) Direct staff to research the combining of the Fire Department operations that are currently budgeted in the General Fund, into the Fire District Special Revenue Fund that receives the Districts property tax revenues, effective for Fiscal Year 2013/2014. This will provide for better accountability and eliminate large inter-fund transfers.

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

a) Received and filed;

b) through d) Approved.

The motion carried by the following vote.

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

A-6) COMMUNITY SERVICES, HOUSING AND COMMUNITY DEVELOPMENT

12-00875

Consider recommendations regarding the 2013/2014 Notice of Funding Availability (NOFA) for Community Development Block Grant and Emergency Solutions Grant Funding and a Request For Proposals (RFP) for a Project Sponsor for funding from the Fiscal Year 2011/2012 Continuum of Care Supportive Housing Program, as follows:

- a) Direct the Community Services Department’s (CSD) Housing and Community Development Division’s (HCD) staff to:
 - i) Publish the Fiscal Year 2013/2014 Notice of Funding Availability (NOFA) for federal funds received through the Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) funding programs; and
 - ii) Issue a Request For Proposals (RFP) for a Project Sponsor of the Lompoc Transformative Housing Project as part of the funding awarded under the Fiscal Year 2011/2012 Continuum of Care Supportive Housing Program Notice of Funding Availability (NOFA);
- b) Authorize HCD staff to delay the publication of the HOME Investment Partnerships Program NOFA; and
- c) Determine that the recommended actions are 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 project 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 the Notice of Exemption.

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

- a) i) ii) Directed.**
- 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-7) COUNTY EXECUTIVE OFFICE [12-00880](#)

Consider the adoption of the 2013 Board of Supervisors' schedule of meeting dates and locations.

A motion was made by Supervisor Wolf, 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 Gray, and Supervisor Lavagnino

A-8) COUNTY EXECUTIVE OFFICE [12-00863](#)

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

A motion was made by Supervisor Wolf, 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 Gray, and Supervisor Lavagnino

A-9) COUNTY EXECUTIVE OFFICE [12-00865](#)

Consider co-sponsoring the 2012 Toys for Tots Campaign and the Holiday Unity Food Drive for Santa Barbara County Employees.

A motion was made by Supervisor Wolf, 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 Gray, and Supervisor Lavagnino

A-10) COUNTY EXECUTIVE OFFICE [12-00866](#)

Approve the appointment of Terri Nisich, Assistant County Executive Officer, to the CenCal Health Board as the Interim Santa Barbara County Representative.

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-11) GENERAL SERVICES

12-00869

Consider recommendations regarding New Cuyama Family Resource Center and Library, Project No. 8711, award of Construction Contracts, First District, as follows:

- a) Award a Fixed Price Construction Contract in the amount of \$136,961.00 inclusive of all alternates, to the lowest responsible bidder, API Inc., (a local vendor) subject to the provisions of the documents and certifications as set forth in the plans and specifications applicable to the project and as required by California Law;
- b) Award a Fixed Price Construction Contract in the amount of \$141,971.00 inclusive of all alternates, to the lowest responsible bidder, Quincon, Inc., (not a local vendor) subject to the provisions of the documents and certifications as set forth in the plans and specifications applicable to the project and as required by California Law;
- c) Approve and authorize the Chair to execute the Construction Contracts upon return of the Contractor’s executed contract documents, and the review and approval of County Counsel, Auditor-Controller and Risk Manager or their authorized representatives;
- d) Authorize the Director of General Services or designee to approve Change Orders up to the limit specified in Public Contract Code Section 20142, which is \$27,893.20 for these contracts combined; and
- e) Find that an Amended Mitigated Negative Declaration 07NGD-000000-00019 under California Environmental Quality Act (CEQA) Guidelines was approved by your Board for this project on August 14, 2012, and that the award of a contract for the previously approved project is therefore an administrative activity not constituting a “Project” within the meaning of CEQA, as set forth in 14 CCR 15378(b)(2).

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

- a) through c) Approved;**
- d) Authorized; and**
- e) Approved.**

The motion carried by the following vote.

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

A-12) GENERAL SERVICES

[12-00858](#)

Consider recommendations regarding Ellwood Pipeline Inc.'s Consent to Assignment, Assumption of Performance, and First Amendment to Lease Agreement, First District, as follows:

- a) Approve and authorize the Chair to execute the original and duplicate original Consent to Assignment, Assumption of Performance, and First Amendment to Lease Agreement between the County of Santa Barbara and Ellwood Pipeline Inc., for Ellwood's continued use of two existing submerged gas and oil pipelines in the offshore county boundaries of Carpinteria, for an annual rent of \$12,615.44 with an annual rent adjustment of two percent (2%); and

- b) Determine that the proposed action is therefore exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301; approve and direct staff to file and post a Notice of Exemption on that basis.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, that this matter be Continued, as follows: December 4, 2012 in Santa Barbara on the Administrative Agenda. The motion carried by the following vote:

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

A-13) GENERAL SERVICES

12-00859

Consider recommendations regarding Landmark Designations for the Santa Barbara Veterans Memorial Building, Second District, as follows:

- a) Authorize the County Architect to prepare and file a Landmark Nomination Request for the Santa Barbara Veterans Memorial Building through the landmark process at the City of Santa Barbara;
- b) Authorize the County Architect to prepare a National Register of Historic Places application for filing with the California Office of Historic Preservation; and
- c) Find that the filing of such requests is categorically exempt under the California Environmental Quality Act (CEQA) and an administrative activity not constituting a "Project" within the meaning of CEQA, as set forth in 14 CCR 15378(b)(2).

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

a) and 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-14) PLANNING AND DEVELOPMENT

12-00871

Receive and file a report on the Iannoccone Removal of Grade Beam Emergency Permit 12EMP-00000-00007 at 6761 and 6763 Del Playa Drive, APN 075-193-022, Third District.

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

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

A-15) PLANNING AND DEVELOPMENT[12-00879](#)

Consider recommendations regarding a Professional Services Contract with City of Goleta, Third District, as follows:

a) Approve and authorize the Chair to execute a new multi-year contract with the City of Goleta, beginning immediately upon execution of the contract by both parties, and ending on June 30, 2017, for provision of technical services to the City by the County's Planning and Development Department and Office of Emergency Management related to energy project permitting, permit compliance, and planning; and

b) Determine that the new contract does not constitute a project under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15378.

A motion was made by Supervisor Wolf, 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 Gray, and Supervisor Lavagnino

A-16) PLANNING AND DEVELOPMENT[12-00882](#)

Approve and authorize the County Executive Officer to execute the extensions of Southern California Edison California Energy Efficiency Strategic Plan Implementation Contracts with the Planning and Development Department and General Services Department.

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

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

A-17) PUBLIC HEALTH

12-00874

Consider recommendations Tobacco Settlement Funding Agreements for the South Coast EMG and MMC Emergency Medical Group, as follows:

- a) Approve and authorize the Chair to execute an Agreement with South Coast EMG to provide emergency hospital care to the medically indigent in Santa Barbara County in an amount not to exceed \$148,748.00 which includes \$74,374.00 for period July 1, 2011 through June 30, 2012, and \$74,374.00 for the period July 1, 2012 through June 30, 2013;
- b) Approve and authorize the Chair to execute an Agreement with MMC Emergency Medical Group to provide emergency hospital care to the medically indigent in Santa Barbara County in an amount not to exceed \$148,748.00 which includes \$74,374.00 for the period July 1, 2011 through June 30, 2012; and \$74,374.00 for the period July 1, 2012 through June 30, 2013; and
- c) Determine that these activities are exempt from California Environmental Quality Act review per CEQA Guideline Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activities may have a significant effect on the environment.

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

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

The motion carried by the following vote.

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

A-18) PUBLIC WORKS

12-00860

Consider recommendations regarding Construction of Storm Damage Repair on Paradise Road at Mile Post 2.5 North of State Highway 154, County Project No. 862326, Federal Project No. ER-5951(010), Second District, as follows:

- a) Approve the plans and specifications for the Construction of Storm Damage Repair on Paradise Road at Mile Post 2.5 in the Second District, County Project No. 862326;
- b) Award the Construction Contract in the amount of \$184,600.00 to the lowest responsible bidder, CalPortland Construction (a local Vendor), 1625 E. Donovan Road, Santa Maria, California 93454, subject to the provision of documents and certifications, as set forth in the plans and specifications applicable to the project, and as required under California Law;
- c) Approve a contingency fund of \$18,460.00 for the Construction of Storm Damage Repair on Paradise Road at Mile Post 2.5 in the Second District, County Project No. 862326;
- d) Approve and authorize the Chair to execute the Construction Contract upon return of the Contractor’s executed contract documents, and the review and approval of County Counsel, Auditor Controller, and Risk Management, or their authorized representatives; and
- e) Find that the proposed actions are administrative activities which do not constitute a “Project” within the meaning of CEQA, pursuant to 14 CCR 15378(b)(2), that the proposed actions are therefore exempt from CEQA, and approve the filing of Notice of Exemption and all further administrative activities, including the Statement of Final Quantities, on that basis.

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

- a) Through d) Approved; and**
- e) Approved.**

The motion carried by the following vote.

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

A-19) PUBLIC WORKS

12-00861

Consider recommendations regarding Union Valley Parkway Extension (Phase III) and Union Valley Parkway Interchange Agreements, County Project Nos. 863011 and 864010, Fourth District, as follows:

- a) Approve and authorize the Chair to execute the Construction Cooperative Agreement with Santa Barbara County Association of Governments (SBCAG) and the City of Santa Maria to provide funding for the construction of Union Valley Parkway Extension (Phase III);
- b) Approve and authorize the Chair to execute the Construction Support Services Agreement with the City for the County of Santa Barbara to provide construction support services for the Union Valley Parkway Extension (Phase III);
- c) Approve and authorize the Chair to execute the Freeway Maintenance Agreement with the California Department of Transportation (Caltrans) for the County to maintain roadway portions of the Union Valley Parkway Interchange at US 101; and
- d) Find that the proposed approval and authorization of the Construction Cooperative Agreement with SBCAG and the City, Construction Support Services Agreement with the City, and the Freeway Maintenance Agreement with Caltrans do not constitute a “Project” within the meaning of the California Environmental Quality Act (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 approve the filing of a Notice of Exemption on that basis.

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

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

The motion carried by the following vote.

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

A-20) PUBLIC WORKS

12-00870

Consider recommendations regarding the Tajiguas Landfill Resource Recovery Project, Contracts for Preparation of a Subsequent Environmental Impact Report and Air Quality Technical Report, First, Second and Third Districts, as follows:

- a) Approve authorize the Chair to execute a Professional Services Contract with the consulting firm of Padre and Associates for preparation of a Subsequent Environmental Impact Report (EIR) for the proposed Tajiguas Landfill Resource Recovery Project in the amount of \$193,178.00, which includes a contingency amount of \$32,196.00; and

- b) Approve and authorize the Chair to execute a Professional Services Contract with the consulting firm of AECOM for preparation of an Air Quality Technical Report and Biological Technical Report for the proposed Tajiguas Landfill Resource Recovery Project in the amount of \$237,000.00, which includes a contingency amount of \$21,600.00.

3:15 PM - 3:50 PM (35 MIN.)

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Carbajal, seconded by Supervisor Gray, 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-21) SUPERVISOR WOLF [12-00876](#)

Approve the reappointment of Karen Johnson to the CenCal Health Board of Directors, term ending December 31, 2014, Second District.

A motion was made by Supervisor Wolf, 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 Gray, and Supervisor Lavagnino

A-22) SUPERVISOR FARR [12-00884](#)

Approve the appointment of Joan Hartmann to the Planning Commission, term ending January 1, 2013, Third District.

A motion was made by Supervisor Wolf, 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 Gray, and Supervisor Lavagnino

Hearing Requests

A-23) PLANNING AND DEVELOPMENT [12-00872](#)

Set hearing to consider recommendations regarding the Orcutt Community Plan 2012 Amendments, 11GPA-00000-00001 and 11GPA-00000-00002, Fourth District, as follows: (Set hearing for 12/4/12. Time estimate 45 minutes.)

- a) Make the required findings, including CEQA findings for adoption of the Orcutt Community Plan 2012 Amendments;
- b) Certify the Final Supplemental EIR (09EIR-00000-00004) in compliance with CEQA Guidelines Section 15090;
- c) Adopt a Resolution approving specific text and map amendments to the Land Use Element of the Santa Barbara County Comprehensive Plan by adoption of the Orcutt Community Plan 2012 Amendments;
- d) Adopt a Resolution approving specific text amendments to the Circulation Element of the Santa Barbara County Comprehensive Plan by adoption of the Orcutt Community Plan 2012 Amendments; and
- e) In compliance with a court order issued in *Adam Bros. Farming Inc. v. County of Santa Barbara* (Superior Court Santa Barbara County, 2004, No. 1007452), strike that portion of the appendices to the OCP EIR (95-EIR-1) titled “Vernal Wetlands and Orcutt Creek Wetland Delineation” prepared by Katherine Rindlaub Biological Consulting and bearing the date of September 1, 1995 and any conclusions based in whole or in part on said delineation.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: December 4, 2012 in Santa Barbara (EST. TIME: 45 MIN.). The motion carried by the following vote.

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

A-24) PUBLIC HEALTH[12-00867](#)

Set hearing to consider recommendations regarding the Tobacco Retail Licensing Ordinance Amendment and Fee Schedule Resolution relating to Santa Barbara County Code Chapter 37A - Licensure of Tobacco Retailers for Santa Barbara County, as follows:
(Set hearing for 12/4/12. Time estimate 15 minutes.)

- a) Consider the introduction (first reading) of an Ordinance amending County Code Chapter 37A - Licensure of Tobacco Retailers, Section 37A-7(a) to remove fee references from the Code;
- b) Adopt a Resolution to adopt a Fee Schedule which references all fees related to Chapter 37A - Licensure of Tobacco Retailers, including a reduction of the annual Tobacco Retailer Licensing fee in the unincorporated areas of the County and the establishment of fees for the administration and enforcement of a Tobacco Retailer Licensing program for the incorporated areas (cities) of the County of Santa Barbara;
- c) Receive and file a presentation on the effectiveness of the Tobacco Retailer Licensing program subsequent to the amended Ordinance of October 2010, and an introduction to the potential administrative and enforcement services to be offered to incorporated areas (cities) in the County; and
- d) Set a hearing on the Administrative Agenda of December 11, 2012, to consider recommendations as follows:
 - i) Consider the adoption (second reading) of an Ordinance amending County Code Chapter 37A, Section 37A-7(a) and adoption of the related Licensure of Tobacco Retailers Fee Schedule Resolution; and
 - ii) Determine that these activities are exempt from California Environmental Quality Act review per CEQA Guideline Section 15061(b) (3), since it can be seen with certainty that there is no possibility that the activities may have a significant effect on the environment.

A motion was made by Supervisor Wolf, seconded by Supervisor Carbajal, that this matter be Set for a hearing, as follows: December 4, 2012 in Santa Barbara (EST. TIME: 15 MIN.). The motion carried by the following vote.

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

A-25) SUPERVISOR FARR

12-00878

Adopt a Resolution of Commendation honoring Ariston Julian for his many years of service to the community.

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

RESOLUTION NO. 12-265

The motion carried by the following vote.

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

A-26) PLANNING AND DEVELOPMENT

12-00885

Adopt a Resolution to extend the Summerland Planning Advisory Committee (hereinafter referred to as the SunPAC) term of office for one year and reduce the SunPAC to the following eight members (with a quorum being five members), appointed by the First District Supervisor:

- a) Robin Donaldson
- b) Tom Evans
- c) Betty Franklin
- d) Paul Franz
- e) David Hill
- f) Nancy Kimsey
- g) Suzanne Perkins
- h) Reeve Woolpert

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

RESOLUTION NO. 12-266

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

Department requests withdrawal of Departmental Item No. 1) from the Agenda

- 1) **SHERIFF** [12-00752](#)

HEARING - Approve the Project Delivery and Construction Agreement (PDCA) and Board of State and Community Corrections Construction Agreement (BSCCA). (Ref 12-00752)

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: WITHDRAW

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

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

- 2) **SUPERVISOR CARBAJAL** [12-00856](#)

HEARING - Receive and file the Children’s Health Initiative Santa Barbara County (CHISB) progress report and presentation for Fiscal Year 2011/2012. (EST. TIME: 30 MIN.)

9:52 AM - 10:17 AM (25 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 Received and filed. The motion carried by the following vote:

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

3) COUNTY EXECUTIVE OFFICE, HUMAN RESOURCES [12-00864](#)

HEARING - Approve the Memorandum of Understanding with the Service Employees International Union, Local 721, regarding terms and conditions of employment, effective from November 13, 2012 through June 22, 2014. (EST. TIME: 5 MIN.)

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

A motion was made by Supervisor Gray, seconded by Supervisor Lavagnino, that this matter be Continued, as follows:

December 4, 2012 in Santa Barbara on Departmental Agenda.

The motion carried by the following vote:

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

4) PUBLIC HEALTH [12-00804](#)

HEARING - Consider recommendations regarding an Environmental Health Services Body Art Fee Resolution for fees relating to tattooing, body piercing and permanent cosmetics, as follows: (EST. TIME: 20 MIN.)

a) Adopt an Environmental Health Services Fee Resolution relating to Body Art practices pursuant to California Health and Safety Code §119300 et seq; and

b) Pursuant to California Environmental Quality Act (CEQA) guidelines, approve the Notice of Exemption from the California Environmental Quality Act of 1970 (CEQA) for the fee resolutions.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

10:33 AM - 11:38 AM (1 HR. 5 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 Continued, as follows:

December 4, 2012 in Santa Barbara on Departmental Agenda.

The motion carried by the following vote:

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

5) PUBLIC WORKS

12-00808

HEARING - Consider recommendations regarding Speed Limits on Various Roads, First, Third and Fourth Districts, as follows: (EST. TIME: 15 MIN.)

a) Consider the introduction (first reading) of an Ordinance amending Santa Barbara County Code, Chapter 23, Sections 23-15.2, 23-15.5, 23-15.6 , 23-15.7, and 23-15.8, pertaining to speed limits on Barker Pass Road, Camino Viejo, Hot Springs Road and San Ysidro Road in the Montecito area, Edison Street in the Santa Ynez area, Apollo Way in the Vandenberg Village area, and Broadway and Clark Avenue in the Orcutt area; and

b) Set a hearing for December 4, 2012 on the Administrative Agenda to consider recommendations, as follows:

i) Consider the adoption (second reading) of an Ordinance, amending Santa Barbara County Code, Chapter 23 Sections 23-15.2, 23-15.5, 23-15.6, 23-15.7, and 23-15.8, pertaining to speed limits on the subject roads described herein, First, Third and Fourth Districts;

ii) Find that the proposed action is for the operation and maintenance of existing public facilities, 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

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

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

11:39 AM - 11:45 AM (6 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) Read title, waived reading of the ordinance in it's entirety. Introduction approved; adoption (second reading) set for December 4, 2012 in Santa Barbara on Administrative Agenda.

b) i, ii and iii) Set for December 4, 2012 in Santa Barbara on Administrative Agenda.

The motion carried by the following vote:

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

6) COUNTY EXECUTIVE OFFICE [12-00853](#)

HEARING - Accept the Fiscal Year 2013-2015 Financial Outlook Report and receive a presentation on the economic context and impending financial challenges faced by the County in Fiscal Years 2013-2015 and subsequent years. (EST. TIME: 45 MIN.)

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

1:45 PM - 2:52 PM (1 HR. 7 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 Received and filed. The motion carried by the following vote:

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

7) COUNTY EXECUTIVE OFFICE, AUDITOR-CONTROLLER [12-00873](#)

HEARING - Receive and file, per the provisions of Government Code Section 29126.2, the Fiscal Year 2012/2013 Financial Status Report as of September 30, 2012, showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

2:53 PM - 3:12 PM (19 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 Received and filed. The motion carried by the following vote:

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

Department requests continuance of Departmental Item No. 8) to March 5, 2013

8) PLANNING AND DEVELOPMENT [12-00598](#)

HEARING - Consider recommendations regarding the Goolsby and Goolsby Kay Appeal, Case No. 12APL-00000-00011, of the Montecito Planning Commission’s approval of a Verizon Wireless Facility at the Montecito Switch Station located at 512 Santa Angela Lane in the Montecito area, APN 011-200-015 and 011-200-016, Case No. 12CUP-00000-00007, First District, as follows: (EST.TIME: 1 HR. 30 MIN.)

- a) Deny the appeal, Case No. 12APL-00000-00011, thereby upholding the Montecito Planning Commission’s approval of the project;
- b) Make the required findings for the project, including California Environmental Quality Act (CEQA) findings;
- c) Determine that the project is exempt from CEQA pursuant to Section 15301 and 15303 of the State Guidelines for the Implementation of the California Environmental Quality Act, as specified in the Montecito Planning Commission Staff Report dated May 4, 2012; and
- d) Approve de novo the Conditional Use Permit for the proposed telecommunications facility, 12CUP-00000-00007, subject to the conditions of the Montecito Planning Commission Staff Report dated May 4, 2012.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

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

March 5, 2013 in Santa Barbara on Departmental Agenda.

The motion carried by the following vote:

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

Adjourned at 3:52 PM

Adjourn to

December 4, 2012

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, November 13, 2012 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, November 15, 2012, at 5:00 PM and on Saturday, November 17, 2012, at 10:00 AM on CSBTV Channel 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON TUESDAY, NOVEMBER 20, 2012; DUE TO THE THANKSGIVING HOLIDAY; AND TUESDAY, NOVEMBER 27, 2012; THIS IS A FOURTH TUESDAY. THE NEXT REGULAR MEETING WILL BE HELD ON TUESDAY, DECEMBER 4, 2012 IN SANTA BARBARA.

<http://www.countyofsb.org>