

County of Santa Barbara
BOARD OF SUPERVISORS



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

Terri Maus-Nisich, Interim County Executive Officer

Action Summary

Tuesday, November 5, 2013

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, 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.

Closed Session

8:15 A.M. Convened and Recessed to Closed Session

9:00 A.M. Reconvened to Regular Session

CONVENED 9:07 A.M.

Roll Call

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

Pledge of Allegiance

Approval of Minutes of the October 15, 2013 Meeting

A motion was made by Supervisor Wolf, seconded by Supervisor Adam, 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

COUNTY COUNSEL

13-00009

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) (13-00001)

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

Re: Metropolitan Transit District - Sherrie Fisher addressed the Board

Re: Mental Health Issues in Santa Barbara County - Christopher A Brown addressed the Board

Re: Ongoing Labor Negotiations - Rachel Flores, Robin Barber and Susan Thomas addressed the Board

Re: Mail Policy at County Jail - Zachary King and Marissa Garcia 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.

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

A-1) SUPERVISOR CARBAJAL [13-00809](#)

Adopt a Resolution proclaiming the month of November 2013 as Family Caregivers Appreciation Month in Santa Barbara County.

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

RESOLUTION NO. 13-251

The motion carried by the following vote:

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

A-2) SUPERVISOR CARBAJAL [13-00817](#)

Adopt a Resolution of Commendation honoring Estella Rios of the County Counsel’s Office as the November 2013 Santa Barbara County Employee of the Month.

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

RESOLUTION NO. 13-252

The motion carried by the following vote:

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

A-3) SUPERVISOR CARBAJAL [13-00823](#)

Adopt a Resolution of Commendation recognizing the U.S. 65th Infantry Regiment, The Borinqueneers, for their service to the United States.

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

RESOLUTION NO. 13-253

The motion carried by the following vote:

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

A-4) SUPERVISOR CARBAJAL, SUPERVISOR WOLF [13-00811](#)

Adopt a Resolution of Commendation honoring the American Cancer Society upon its 100th Anniversary.

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

RESOLUTION NO. 13-254

The motion carried by the following vote:

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

Honorary Resolutions

A-5) SUPERVISOR CARBAJAL [13-00806](#)

Adopt a Resolution proclaiming October 1, 2013 through October 21, 2013 as Binational Health Week in Santa Barbara County.

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

RESOLUTION NO. 13-255

The motion carried by the following vote:

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

A-6) SUPERVISOR CARBAJAL [13-00807](#)

Adopt a Resolution of Commendation honoring Bill Cirone as the Santa Barbara Foundation 2012 Man of the Year.

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

RESOLUTION NO. 13-256

The motion carried by the following vote:

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

A-7) SUPERVISOR CARBAJAL [13-00808](#)

Adopt a Resolution of Commendation honoring Anne Smith Towbes as the Santa Barbara Foundation 2012 Woman of the Year.

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

RESOLUTION NO. 13-257

The motion carried by the following vote:

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

A-8) SUPERVISOR CARBAJAL [13-00812](#)

Adopt a Resolution of Commendation honoring Jean von Wittenburg as the 2013 Montecito Association Citizen of the Year.

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

RESOLUTION NO. 13-258

The motion carried by the following vote:

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

A-9) SUPERVISOR CARBAJAL [13-00813](#)

Adopt a Resolution of Commendation celebrating the Centennial Anniversary of Carpinteria High School.

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

RESOLUTION NO. 13-259

The motion carried by the following vote:

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

A-10) SUPERVISOR CARBAJAL [13-00814](#)

Adopt a Resolution of Commendation celebrating the 2nd Anniversary of Pacifica Graduate Institute Alumni Association.

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

RESOLUTION NO. 13-260

The motion carried by the following vote:

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

A-11) SUPERVISOR CARBAJAL, SUPERVISOR WOLF [13-00810](#)

Adopt a Resolution of Commendation celebrating the restoration and completion of the Victoria Theatre, now known as The New Vic.

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

RESOLUTION NO. 13-261

The motion carried by the following vote:

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

Administrative Items

A-12) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES

13-00836

Consider recommendations regarding the Budget for Juvenile Justice Mental Health Services Program, as follows: (4/5 Vote Required)

a) Approve Budget Revision Request No. 0003113 increasing appropriations of \$1,053,644.00 in the Alcohol, Drug and Mental Health Services (ADMHS) Department/Mental Health Fund for the Juvenile Justice Mental Health Services (JMHHS) program funded by an operating transfer from the Probation Department;

b) Approve a Personnel Resolution effective November 11, 2013 adding:

i) 1.0 FTE ADMHS Team Supervisor-Practitioner (class 005177), Range 5177, (\$5,099.00 - \$6,225.00 approximately per month);

ii) 5.0 FTE ADMHS Practitioner Intern/I/II (class 005190 - 005192), Range 5190 - 5192, (\$4,115.00-\$5,805.00 approximately per month);

iii) 0.65 FTE ADMHS Psychiatric Technician I/II (class 005210 - 005211), Range 5210 - 5211, (\$3,501.00-\$4,793.00 approximately per month); and

iv) 0.35 FTE Psychiatrist (class 006167), Range 6167, (\$15,076.00 - \$17,300.00 approximately per month);

c) Approve a Personnel Resolution effective July 7, 2014 deleting:

i) 1.0 FTE ADMHS Team Supervisor-Practitioner (class 005177), Range 5177, (\$5,099.00 - \$6,225.00 approximately per month);

ii) 4.0 FTE ADMHS Practitioner Intern/I/II (class 005190 - 005192), Range 5190 - 5192 (\$4,115.00 - \$5,805.00 approximately per month);

iii) 0.65 FTE ADMHS Psychiatric Technician I/II (class 005210 - 005211), Range 5210 - 5211 (\$3,501.00 - \$4,793.00 approximately per month); and

iv) 0.35 FTE Psychiatrist (class 006167), Range 6167 (\$15,076.00 - \$17,300.00 approximately per month); and

d) Determine under California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) that this activity is exempt from review on the basis that it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

A motion was made by Supervisor Wolf, seconded by Supervisor Lavagnino, that this matter be Continued, as follows: November 12, 2013 in Santa Maria. The motion carried by the following vote:

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

A-13) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES

13-00830

Consider recommendations regarding Fiscal Year 2013/2014 Phoenix Mental Health Contract Amendment, as follows:

a) Approve and authorize the Chair to execute an Amendment to the Contract with Phoenix of Santa Barbara (a local vendor) for intensive residential mental health services, to increase the Contract by \$12,217.00, for a total Contract not to exceed \$934,153.00 through June 30, 2014; and

b) Determine that the approval of the Amendment to 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 motion was made by Supervisor Farr, seconded by Supervisor Wolf, 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-14) COMMUNITY SERVICES

13-00715

Consider recommendations regarding an Ordinance providing for the contribution of revenues from the County of Santa Barbara Community Services Department, Parks Division’s adopted budget to supplement the County of Santa Barbara Community Facilities District No. 2002-1 (Orcutt Community Plan) for the maintenance of parks, parkways and open space, Fourth District, as follows:

- a) Consider the adoption (second reading) of an Ordinance authorizing the use of County funds necessary to supplement the County of Santa Barbara Community Facilities District No. 2002-1 (Orcutt Community Plan) for the maintenance of parks; and

- b) Determine that the adoption of the Ordinance is not the approval of a project 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 a governmental funding mechanism or other government fiscal activity, and which does 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 draft Notice of Exemption.

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

a) Adopted.

ORDINANCE NO. 4868

b) Approved.

The motion carried by the following vote:

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

A-15) COUNTY EXECUTIVE OFFICE

[13-00815](#)

Adopt a Resolution, effective November 11, 2013, changing the title of the job classification of Public Health Program Coordinator to Health Care Program Coordinator.

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

RESOLUTION NO. 13-262

The motion carried by the following vote:

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

A-16) COUNTY EXECUTIVE OFFICE

13-00816

Consider recommendations regarding terms and conditions of employment for unrepresented employees, as follows:

- a) Adopt a Resolution, effective November 11, 2013, amending the Management Personnel Benefits Policy to increase the benefit allowance for assistant department heads and unrepresented attorneys and managers;
- b) Lift the freeze on merit step increases for confidential-unrepresented employees, effective in December 2013; and
- c) Approve the implementation of two general wage increases for a total of 3% over three years for confidential-unrepresented employees.

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

a) Adopted.

RESOLUTION NO. 13-263

b) and c) Approved.

The motion carried by the following vote:

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

A-17) COUNTY EXECUTIVE OFFICE [13-00818](#)

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

A motion was made by Supervisor Farr, 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 Adam, and Supervisor Lavagnino

A-18) COUNTY EXECUTIVE OFFICE [13-00832](#)

Consider co-sponsoring the 2013 Holiday Unity Shoppe Food Drive for Santa Barbara County Employees.

A motion was made by Supervisor Farr, 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 Adam, and Supervisor Lavagnino

A-19) DISTRICT ATTORNEY [13-00828](#)

Adopt a Resolution authorizing the District Attorney to renew an Agreement with the State Department of Insurance for a Workers' Compensation Insurance Fraud Prosecution Unit in Fiscal Year 2013/2014.

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

RESOLUTION NO. 13-264

The motion carried by the following vote:

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

A-20) GENERAL SERVICES13-00820

Consider recommendations regarding a Lease Agreement for Search and Rescue at 66 San Antonio Road, Santa Barbara, Second District, as follows:

a) Approve and authorize the Chair to execute a Lease Agreement between the County of Santa Barbara and Santa Barbara County Search and Rescue, Inc., for Search and Rescue's use of the 1,225 square foot facility and a portion of the surrounding grounds on the County-owned property located at 66 San Antonio Road, near Hollister Avenue, for a period of twenty (20) years, at no cost to Search and Rescue; and

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

A motion was made by Supervisor Farr, seconded by Supervisor Wolf, 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-21) GENERAL SERVICES13-00825

Consider recommendations regarding Nextel of California, Inc. Lease Termination Agreement at Santa Barbara County Transfer Station, Folio No. 003143, Second District, as follows:

a) Approve and authorize the Chair to execute a Lease Termination Agreement and Site Acceptance and Release, between Nextel of California, Inc. (Nextel) and the County of Santa Barbara (County) terminating the Communications Site Lease Agreement (Agreement) and Nextel's use of a portion of the Santa Barbara County Transfer Station property located at 4417 Calle Real, in Goleta, as of August 31, 2013, and accepting ownership of the communications facility remaining on the property; and

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

A motion was made by Supervisor Farr, seconded by Supervisor Wolf, 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-22) PLANNING AND DEVELOPMENT

13-00831

Consider recommendations regarding the Summerland Planning Advisory Committee (SunPAC) term extension and adjustment, as follows:

- a) Adopt a Resolution to extend the SunPAC term of office to coincide with the term of office of the First District Supervisor or upon adoption of the updated Summerland Community Plan, whichever occurs first; and
- b) Retain the following eight members (with a quorum being five members) appointed by the First District Supervisor:
 - i) Robin Donaldson;
 - ii) Tom Evans;
 - iii) Betty Franklin;
 - iv) Paul Franz;
 - v) David Hill;
 - vi) Nancy Kimsey;
 - vii) Suzanne Perkins; and
 - viii) Reeve Woolpert.

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

a) Adopted.

RESOLUTION NO. 13-265

b) Approved.

The motion carried by the following vote:

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

A-23) PLANNING AND DEVELOPMENT

[13-00833](#)

Consider recommendations regarding an Energy and Climate Action Plan Agreement for Services with PMC, as follows:

- a) Approve and authorize the Chair to execute an Agreement for Services with PMC for consultant services for the period of November 5, 2013 to December 31, 2014 in an amount not to exceed \$47,409.00, bringing the cumulative amount to \$142,328.00; and
- b) Determine the project is exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15306 of CEQA and approve the filing of a Notice of Exemption on that basis.

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

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

The motion carried by the following vote:

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

Noes: 2 - Supervisor Adam, and Supervisor Lavagnino

A-24) PUBLIC HEALTH

13-00821

Consider recommendations regarding a Revenue Agreement for Tobacco Retail Licensing Services with the City of Carpinteria, as follows:

- a) Approve and authorize the Chair to execute a Revenue Agreement with the City of Carpinteria for tobacco retail license administration and enforcement services to be provided by the Public Health Department’s Tobacco Prevention Settlement Program; and
- b) 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.

A motion was made by Supervisor Farr, seconded by Supervisor Wolf, 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-25) PUBLIC HEALTH, AUDITOR-CONTROLLER13-00824

Consider recommendations regarding a Local Primacy Agreement for Small Public Water Systems, as follows:

- a) Approve and authorize the Public Health Department Director to execute a Local Primacy Delegation Agreement with the California Department of Public Health;
- b) Approve and authorize the Public Health Department Director to execute the Grant Funding Agreement with the California Department of Public Health to receive a one-time grant of approximately \$293,000.00;
- c) Approve and authorize the County Auditor Controller to execute the Fiscal Agent Agreement with the California Department of Public Health and to establish non-interest earning account, Fund 1386, to accept, manage and disperse monies received from the Grant Funding Agreement to Public Health Department Environmental Health Services for eligible costs, in accordance with the requirements; and
- d) Determine that the recommended actions are exempt pursuant to California Environmental Quality Act (CEQA) Guideline Sections 15378(b)(4) and 15378(b)(5) because the actions are administrative activities of a local government and government fiscal activities which do not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment.

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

a) through d) Approved.

The motion carried by the following vote:

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

A-26) PUBLIC WORKS

13-00826

Consider recommendations regarding a Statement of Final Quantities for the Construction of Santa Rosa Road and Removal of Bridge 51C-173, County Project No. 863038, Federal Project No. BRLSZD-5951 (095), Third District, as follows:

- a) Approve and authorize the Chair to execute the Statement of Final Quantities for the Construction of Santa Rosa Road and Removal of Bridge No. 51C-173 for work performed and materials supplied by Souza Engineering Contracting, Inc. (not a local vendor), P. O. Box 3810, San Luis Obispo, California 93403, in the amount of \$1,020,534.52; and
- b) Determine that the proposed action is not subject to California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378(b)(5), as it is an administrative action that will not result in direct or indirect changes to the environment.

A motion was made by Supervisor Farr, seconded by Supervisor Wolf, 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-27) PUBLIC WORKS13-00835

Consider recommendations regarding the Construction of Bridge No. 51C-0372 Kinevan Road over San Jose Creek Project, Replacing Existing Bridge No. 51C-0214; Federal Project BRLO-5951(138); County Project No. 862328, Second District, as follows:

- a) Approve plans and specifications for the construction of Bridge No. 51C-0372 Kinevan Road over San Jose Creek Project, Replacing Existing Bridge No. 51C-0214; Federal Project BRLO-5951(138); County Project No. 862328, on file in the Public Works Department office;
- b) Award the Construction Contract in the amount of \$596,710.58 to the lowest responsible bidder, Souza Construction, Inc., P.O. Box 3810, San Luis Obispo, CA 93401 subject to the provision of documents and certifications, as set forth in the plans and specifications applicable to the project, as required under California Law;
- c) Approve and authorize the Chair to execute the Construction Contract, which has been reviewed and approved by County Counsel, Auditor-Controller and Risk Manager, or their authorized representatives;
- d) Authorize the Director of Public Works or designee to approve Change Orders for a contingency amount up to \$43,110.53, plus an additional amount of \$15,500.00 for supplemental work items for the Construction of Bridge No. 51C-0372 Kinevan Road over San Jose Creek Project, Replacing Existing Bridge No. 51C-0214; Federal Project BRLO-5951(138); County Project No. 862328, for a total project authorization of \$655,321.11; and
- e) Find that pursuant to State California Environmental Quality Act (CEQA) Guidelines Section 15162, no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore the proposed actions are within the scope of the Mitigated Negative Declaration (13NGD 00000-00002) and Mitigation Monitoring Program adopted by the Board upon approval of the project on May 21, 2013, and that therefore no new environmental document is required.

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

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

The motion carried by the following vote:

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

A-28) SANTA BARBARA COUNTY EMPLOYEE'S RETIREMENT SYSTEM [13-00805](#)

Approve the certification of the Santa Barbara County Employees' Retirement System Safety Member Election, and the election of Frederick Tan to the Safety Member (Seventh Member) position and Steven R. Johnson to the Alternate Safety Member position.

A motion was made by Supervisor Farr, 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 Adam, and Supervisor Lavagnino

Board of Supervisors**A-29) SUPERVISOR FARR [13-00838](#)**

Approve the appointment of Lorraine Neenan to the Mental Health Commission, term ending June 30, 2015, Third District.

A motion was made by Supervisor Farr, 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 Adam, and Supervisor Lavagnino

A-30) SUPERVISOR LAVAGNINO [13-00804](#)

Approve the 2013/2014 membership of the Santa Barbara County Child Care Planning Council, as shown in the Certification Statement Regarding Composition of LPC Membership for July 2013 through June 2014.

A motion was made by Supervisor Farr, 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 Adam, and Supervisor Lavagnino

Hearing Requests

A-31) PLANNING AND DEVELOPMENT [13-00827](#)

Set a hearing to consider Case No. 13APL-00000-00022, the Environmental Defense Center appeal of the County Planning Commission’s September 25, 2013 approval of the Santa Maria Energy Oil and Gas Drilling and Production Plan Project, production site, 09PPP-00000-00002 and 12DVP-00000-00008, located on APN 101-020-074, south of the community of Orcutt, known as 7980 E. San Antonio Road, and recycled water line, 13LUP-00000-000102, Third and Fourth Districts, as follows: (Set hearing for November 12, 2013. Time estimate: 3 hours.)

- a) Deny the appeal, Case No. 13APL-00000-00022, thereby upholding the County Planning Commission’s approval of Case Nos. 09PPP-00000-00002, 12DVP-00000-00008, and 13LUP-00000-00102;
- b) Make the required findings to approve the project, including California Environmental Quality Act (CEQA) findings;
- c) Certify the Environmental Impact Report (12EIR-00000-00003) for the project; and
- d) Approve the project (Case Nos. 09PPP-00000-00002, 12DVP-00000-00008, and 13LUP-00000-00102), subject to conditions.

A motion was made by Supervisor Adam, seconded by Supervisor Lavagnino, that this matter be Set for a hearing, as follows: November 12, 2013 in Santa Maria, 1:30 P.M. TIME CERTAIN (EST. TIME: 3 Hours) 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) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT 13-00834

HEARING - Consider recommendations regarding a Status Report on the State Water Project, as follows: (EST. TIME: 1 HR. 30 MIN.)

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

- a) Receive and file a report on the status of State Water Project (SWP) issues; and
- b) Find that the proposed action is an administrative activity of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a project as defined for purposes of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15378(b)(5).

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 10:43 AM - 12:27 PM (1 HR. 44 MIN.)

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Adam, seconded by Supervisor Farr, 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

2) COUNTY EXECUTIVE OFFICE

[13-00837](#)

HEARING - Receive and file the Fiscal Years 2014-2016 Fiscal Outlook Report, including a five Year Forecast and receive a presentation on the economic context and impending financial challenges faced by the County in Fiscal Years 2014-2016 and subsequent years. (EST. TIME: 45 MIN.)

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 4:27 PM - 5:20 PM (53 MIN.)

Received and filed staff presentation and conducted public hearing.

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

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

3) PLANNING AND DEVELOPMENT

13-00756

HEARING - Consider an Appeal filed by Jeffrey Hayden (Case No. 13APL-00000-00014) of the Montecito Planning Commission’s May 22, 2013 approval of a Coastal Development Permit (Case No. 13CDH-00000-00010) for the Terzian Landscape Changes project, First District, as follows: (EST. TIME: 10 MIN.)

- a) Deny the appeal, Case Number 13APL-00000-00014;
- b) Make the required findings for approval of the revised project, including California Environmental Quality Act (CEQA) findings;
- c) Determine the project is exempt from CEQA pursuant to Section 15304(b) of the State Guidelines for the implementation of the California Environmental Quality Act; and
- d) Approve de novo the revised project (Case No. 13CDH-00000-00010) subject to the revised conditions of approval.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 5:21 PM - 5:23 PM (2 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Denied the appeal, Case No. 13APL-00000-00022, and upheld the Planning Commission's approval of Case Nos. 09PPP-00000-00002, 12DVP-00000-00008 and 13LUP-00000-00102.**
- b) Approved findings.**
- c) Certified.**
- d) Approved the project (Case Nos. 09PPP-00000-00002, 12DVP-00000-00008 and 13LUP-00000-00102), subject to the conditions of approval.**

The motion carried by the following vote:

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

4) PLANNING AND DEVELOPMENT

13-00784

HEARING - Consider recommendations regarding an Ordinance, Case No. 13ORD-00000-00012, that (1) amends Ordinance No. 4584 that established the Central, North and South Boards of Architectural Review to delete the expiration of the Ordinance, and (2) amends Article V, Planning and Zoning, of Chapter 2, Administration, of the County Code, to update the procedures regarding appointing members of the North Board of Architectural Review, as follows: (EST. TIME: 30 MIN.)

a) Determine that the adoption of this Ordinance is categorically exempt from the California Environmental Quality Act (CEQA) in compliance with Sections 15061(b)(3) of the Guidelines for Implementation of CEQA;

b) Consider the introduction (first reading) of an Ordinance, Case No. 13ORD-00000-00012, amending Ordinance No. 4584 and Article V, Planning and Zoning, of Chapter 2, Administration, of the County Code; and

c) Set a hearing on the Administrative agenda of November 12, 2013 to consider recommendations, as follows:

i) Consider the adoption (second reading) of an Ordinance, Case No. 13ORD-00000-00012, amending Ordinance No. 4584 and Article V, Planning and Zoning, of Chapter 2, Administration, of the County Code; and

ii) Waive full reading into the record of the Ordinance, Case No. 13ORD-00000-00012, amending Ordinance No. 4584 and Article V, Planning and Zoning, of Chapter 2, Administration, of the County Code.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 5:23 PM - 5:43 PM (20 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Approved.

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

That the terms of the existing members of the NBAR terminate as of December 31, 2013 to allow for the appointment or re-appointment of members in 2014.; and

That to be eligible to serve as a member of the NBAR, individuals must reside within the jurisdictional boundary of the NBAR.

Adoption (second reading) set for November 12, 2013 on the Administrative Agenda.

c) i and ii) Set for hearing on the Administrative Agenda of November 12, 2013 in Santa Maria.

The motion carried by the following vote:

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

5) COMMUNITY SERVICES

13-00786

HEARING - Consider recommendations regarding Tax and Equity Fiscal Responsibility Act (TEFRA) Hearings regarding the issuance of multifamily housing revenue bonds by the Housing Authority of the County of Santa Barbara to (1) finance the acquisition and rehabilitation of Positano Apartments, and (2) finance the acquisition and rehabilitation of Leland Park Apartments, Second and Fourth Districts, as follows: (EST. TIME: 10 MIN.)

- a) Open Public Hearing regarding the issuance by the Housing Authority of multifamily housing revenue bonds for Leland Park Apartments and close Public Hearing as required by Section 147(f) of the Internal Revenue Code of 1986;
- b) Adopt a Resolution approving the issuance of multifamily housing revenue bonds by the Housing Authority for Leland Park Apartments in an amount not to exceed \$3,000,000.00;
- c) Open Public Hearing regarding the issuance by the Housing Authority of multifamily housing revenue bonds for Positano Apartments and close Public Hearing as required by Section 147(f) of the Internal Revenue Code of 1986;
- d) Adopt a Resolution approving the issuance of multifamily housing revenue bonds by the Housing Authority for Positano Apartments in an amount not to exceed \$10,000,000.00; and
- e) Determine that the above 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 actions are the 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.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 5:43 PM - 5:49 PM (6 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Conducted public hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986. There were no requests to speak.**
- b) Adopted.**

Resolution No. 13-266

The motion carried by the following vote:

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

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

c) Conducted public hearing pursuant to Section 147(f) of the Internal Revenue Code of 1986. There were no requests to speak.

d) Adopted.

Resolution No. 13-267

The motion carried by the following vote:

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

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

e) Approved.

The motion carried by the following vote:

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

6) COUNTY EXECUTIVE OFFICE, ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [13-00557](#)

HEARING - Consider recommendations regarding an Alcohol, Drug and Mental Health Services Department liabilities update, as follows: (4/5 Vote Required) (EST. TIME: 45 MIN.)

- a) Receive and file a report updating known and estimated liabilities of the Alcohol, Drug and Mental Health Services Department (ADMHS);
- b) Approve a Budget Revision Request No. 0003059 to transfer \$140,956.00 from Alcohol and Drug Program (ADP) fund balance into the current year operating budget; and
- c) Approve Budget Revision Request No. 0003169 to increase the Mental Health Fund operating budget by \$750,110.00 by a release of ADMHS unused CEC/MISC funds in the Audit Exception account of \$121,555.00 and ADMHS deferred revenue of \$628,555.00.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

A motion was made by Supervisor Farr, seconded by Supervisor Adam, that this matter be Continued, as follows: December 10, 2013 in Santa Maria (EST. TIME: 45 MIN.). The motion carried by the following vote:

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

7) COUNTY EXECUTIVE OFFICE

13-00819

HEARING - Consider recommendations regarding a Draft 2014 Legislative Platform, as follows: (EST. TIME: 45 MIN.)

a) Receive a report on issues and projects included as part of the County’s Draft 2014 Legislative Platform; and

b) Provide staff with direction about any recommended changes to the County’s Draft 2014 Legislative Platform.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

A motion was made by Supervisor Farr, seconded by Supervisor Adam, that this matter be Continued, as follows: November 12, 2013 in Santa Maria (EST. TIME: 45 MIN.). The motion carried by the following vote:

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

The Santa Barbara County Board of Supervisors Adjourned the Meeting of November 5, 2013 in Honor of Jonny Wallis of Goleta and Samuel Blake Shipiro of Santa Barbara

Adjourned at 5:50 PM

Adjourn to

Tuesday, November 12, 2013

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, November 5, 2013 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, November 7, 2013, at 5:00 PM and on Saturday, November 9, 2013, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>