

County of Santa Barbara
BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Agenda

Tuesday, October 11, 2016

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.

Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: www.countyofsb.org

Persons may address the Board of Supervisors in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Betteravia Government Center, Board of Supervisors' Conference Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.

Board Meeting Procedures

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

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

Board Meetings are televised live on County of Santa Barbara TV channel 20. For information about obtaining a videotape of a public hearing or a schedule of CSBTV broadcasts please call (805) 568-3427.

Late Distribution and Ex-Parte Communication

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to all or a majority of the members of the Board of Supervisors less than 72 hours prior to that meeting are available for inspection in the Clerk of the Board Office, 105 East Anapamu Street, Room 407, Santa Barbara, CA, at the Office of the Board of Supervisors, Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, CA and on the Internet at: <http://santabarbara.legistar.com/Calendar.aspx#current>. Any written ex-parte communication subject to disclosure by members of the Board of Supervisors may be published online as an attachment to the corresponding item.

Disability Access

The Board of Supervisors Hearing Room in Santa Barbara is located on the Fourth Floor of the County Administration Building, 105 East Anapamu Street. The Hearing Room is wheelchair accessible. Accessible public parking is available behind the County Administration Building and in City Parking Lot #6 located at the corner of Anacapa Street and Anapamu Street.

The Board of Supervisors Hearing Room in Santa Maria is located at the Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria. The Hearing Room is wheelchair accessible. Accessible public parking is available at the Betteravia Government Center.

American Sign Language interpreters, Spanish language interpretation and sound enhancement equipment may be arranged by contacting the Clerk of the Board of Supervisors by 4:00 p.m. on Friday before the Board meeting. For information about these services please contact the Clerk of the Board at (805) 568-2240.

Closed Session

The Board of Supervisors conducts a Closed Session every Tuesday between 12:00 P.M. and 1:00 P.M. and at 7:50 A.M. as necessary. Closed Sessions are not open to the public. Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Actions taken by the Board during Closed Session will be announced during open session (Gov. Code Sections 54957.1(a) & (b), Ralph M. Brown Act). The Closed Session agenda is posted as an addendum to the Board's agenda each Friday in the Office of the Clerk of the Board. For information related to Closed Session announcements please contact County Counsel at (805) 568-2950.

9:00 A.M. Convene to Regular Session**Roll Call****Pledge of Allegiance****Approval of Minutes of the October 4, 2016 Meeting****12:00 P.M. Recess to Closed Session****Report from Closed Session**[16-00007](#)

Closed Session Agenda 2016

County Executive Officer's Report**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.

Administrative Items**A-1) COMMUNITY SERVICES, OFFICE OF EMERGENCY SERVICES**[16-00791](#)

Consider recommendations regarding a waiver of camping fees for Rey Fire evacuees at Cachuma Lake, as follows:

- a) Authorize the Director of the Community Services Department to waive camping fees at the Cachuma Lake Recreation Area in the amount of \$2,200.00 for wildfire evacuees from the Los Padres Forest during the early stages of the Rey Fire that began August 18, 2016, pursuant to Santa Barbara County Code section 26-5; and
- b) Determine that waiving camping fees for wildfire evacuees 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 impact on the environment, and direct staff to file a Notice of Exemption.

A-2) COMMUNITY SERVICES[16-00790](#)

Consider recommendations regarding Arroyo Burro Boardwalk Project No. 8647, Award of Contract, Second District, as follows: (4/5 Vote Required)

- a) Approve the plans and specifications on file in the Community Services Department for the Arroyo Burro Boardwalk Project, Project No. 8647;
- b) Award, and approve and authorize the Chair to execute, a contract in the amount of \$443,600.00 to the lowest responsible bidder, Ardalan Construction Company, Inc., for the Project, 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) Authorize the Director of Community Services, or designee, to order changes or additions in the work being performed for the project via change orders in the amount not to exceed \$34,680.00 as authorized under California Public Contract Code Section 20142;
- d) Approve Budget Revision Request No. 0004763 for completion of the Project; and
- e) Determine that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the State Guidelines for the implementation of CEQA which consists of the repair or minor alteration of existing facilities or topographical features, involving negligible or no expansion of existing use, and direct staff to file the CEQA Notice of Exemption on that basis.

A-3) COUNTY EXECUTIVE OFFICE[16-00018](#)

Consider recommendations regarding re-ratification of the Drought Proclamation passed September 13, 2016, (Thirty-Day Renewal), as follows:

- a) Adopt the Resolution re-ratifying the Proclamation of a Local Emergency for Drought and Water Supply Conditions that exist in Santa Barbara County pursuant to Government Code Section 8630(c);
- b) Direct the Office of Emergency Management to return monthly for re-ratification of the Emergency until such a time that weather and water supply conditions dictate otherwise; and
- c) Determine that this project was found to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant State CEQA Guidelines Sections 15061(b) (3) and 15269(a), and that the proposed actions are within the scope of the prior CEQA exemption.

A-4) COUNTY EXECUTIVE OFFICE[16-00511](#)

Consider recommendations regarding the termination of the Proclamation of a Local Emergency for the Sherpa Fire, as follows:

- a) Adopt a Resolution terminating the Proclamation of a Local Emergency related to the Sherpa Fire declared by the Director of Emergency Services on June 17, 2016, and was formally ratified by the Board on June 21, 2016, and was re-ratified each month following, pursuant to Government Code Section 8850 et. Seq. and Chapter 12, Section 12-5(a) of the Santa Barbara County Code; and
- b) Determine that this project was found by the Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant State CEQA Guidelines Sections 15061(b) (3) and 15269(a), and that the proposed actions are within the scope of the prior CEQA exemption.

A-5) HUMAN RESOURCES[16-00792](#)

Consider recommendations regarding paid leave time for organ and bone marrow donors, as follows: (4/5 Vote Required)

- a) Find that granting paid leave to employees who serve as organ or bone marrow donors is in the best interest of the County, and does not amount to a gift of public funds, because it mirrors the requirement in State law for State employees and private businesses with 15 or more employees;
- b) Approve up to 240 hours of paid leave for an employee donating a kidney as part of a paired organ donation program after using 80 hours of accrued sick leave or vacation;
- c) Direct staff to meet and confer with labor groups to develop a policy that will provide paid leave to County employees who are bone marrow and organ donors in alignment with California Labor Code Sections 1508 -1513 and return to the Board with a recommended policy; and
- d) Determine pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) that the above action is a government fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and therefore is not a project subject to environmental review.

A-6) PUBLIC HEALTH[16-00793](#)

Consider recommendations regarding the Santa Ynez Community Services District Agreement, as follows: (4/5 Vote Required)

- a) Approve, ratify, and authorize the Chair to execute a First Amendment to the Agreement with the Santa Ynez Community Services District that extends the term through the period of July 1, 2016 through December 1, 2016 to complete a preliminary engineering report to extend the public sewer into specified unserved areas within the District's existing service area;
- b) Approve Budget Revision request No. 0004755 to increase appropriations of \$159,645.00 in Public Health General Fund Services for Services and Supplies funded by a release of Public Health Department Special Revenue Fund restricted fund balance. Funding is available through a designation from the State Water Resources Control Board; and
- c) Determine that the recommended actions are not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline sections 15262 and 15378(b)(4), finding that the activities involve only feasibility or planning studies for possible future actions and 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.

A-7) SHERIFF[16-00787](#)

Consider recommendations regarding the First Amendment to the Correctional Medicine Agreement with Corizon Health, Inc., as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute the First Amendment to the Correctional Medicine Agreement with Corizon Health, Inc. to increase staffing, as follows: 2.8 Licensed Vocational Nurses full time equivalents (FTE), 2 Licensed Clinical Social Workers FTEs, 1 Psychiatric Nurse FTE, and increase hours for the contracted Psychiatrist from 25 to 40 hours weekly;
- b) Approve Budget Revision No. 0004770 releasing \$265,000.00 in Contingency Funds and appropriate \$265,000.00 in the Sheriff's Office medical services unit; and
- c) Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment, and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA guidelines.

Board of Supervisors

- A-8) SUPERVISOR WOLF [16-00788](#)

Approve the appointment of Anna Everett to the Commission for Women, term ending October 11, 2019, Second District.

Honorary Resolutions

- A-9) SUPERVISOR LAVAGNINO [16-00795](#)

Adopt a Resolution of Commendation honoring Donna Maria Lebots-Misbeek posthumously for her service to the Veterans' Stand Down.

Resolutions to be Presented

- A-10) SUPERVISOR ADAM [16-00794](#)

Adopt a Resolution proclaiming the week of October 9, 2016 through October 15th, 2016 as National Fire Prevention Week in Santa Barbara County.

- A-11) SUPERVISOR LAVAGNINO [16-00789](#)

Adopt a Resolution proclaiming the month of October 2016 as Energy Awareness Month in Santa Barbara County.

Approval of Administrative Agenda**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) (16-00001)

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

Departmental Agenda
Planning Items and Public Hearings

1) PLANNING AND DEVELOPMENT[16-00727](#)

HEARING - Consider Case No. 16APL-00000-00020, the Pacific Coast Energy Company (PCEC, or appellant) appeal of the County Planning Commission's June 29, 2016 denial of the Orcutt Hill Resources Enhancement Plan project (Case Nos. 13PPP-00000-00001), Fourth District, as follows: (EST. TIME: 2 HR. 30 MIN.)

- a) Deny the appeal, Case No. 16APL-00000-00020;
- b) Make the required findings for denial of the project;
- c) Find that denial of the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270 as specified in Attachment B to the July 8, 2016 staff memo to the Planning Commission;
- d) Deny the project; and
- e) Approve the Seep Can Only Alternative and take the following actions:
 - i) Make the required findings for approval of the Seep Can Only Alternative, including CEQA findings;
 - ii) Certify the Supplemental Environmental Impact Report, Case No. 14EIR-00000-00001 for the Seep Can Only Alternative and adopt the mitigation monitoring program contained in the conditions of approval; and
 - iii) Grant de novo approval of the Seep Can Only Alternative, Case No. 13PPP-00000-00001, subject to the conditions.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Adjourn to**Tuesday, October 18, 2016****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 11, 2016 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, October 13, 2016, at 5:00 PM and on Saturday, October 15, 2016, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>