

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

Action Summary

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.

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

9:00 A.M. Convened to Regular Session

Roll Call

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

Pledge of Allegiance

Approval of Minutes of the October 4, 2016 Meeting

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

[16-00007](#)

Closed Session Agenda 2016

No reportable action taken.

County Executive Officer's Report

No report from the County Executive Officer.

Administrative Agenda

All matters listed hereunder constitute a consent agenda, and will be acted upon by a single roll call vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board or the public, in which event the matter shall be removed from the Administrative Agenda and considered as a separate item.

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

a) Authorized; and

b) Approved.

The motion carried by the following vote:

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

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

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

The motion carried by the following vote:

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

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

a) Adopted.

RESOLUTION NO. 16-244

b) Directed; and

c) Approved.

The motion carried by the following vote:

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

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

a) Adopted.

RESOLUTION NO. 16-245

b) Approved.

The motion carried by the following vote:

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

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

a) and b) Approved;

c) Directed; and

d) Approved.

The motion carried by the following vote:

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

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

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

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

- a) Approved; Chair to execute. Directed staff to add a new third sentence to Numbered Paragraph 3 of the First Amendment to the Correctional Medicine Agreement as follows:**

"When not actively distributing medications, or providing de-escalation services, this Supplemental Staffing shall be used as part of Contractor’s other provision of healthcare services to County."

- b) and c) 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-8) SUPERVISOR WOLF [16-00788](#)

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

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

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.

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

RESOLUTION NO. 16-246

The motion carried by the following vote:

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

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

RESOLUTION NO. 16-247

The motion carried by the following vote:

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

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

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

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

RESOLUTION NO. 16-248

The motion carried by the following vote:

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

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.

No request to speak.

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

HEARING TIME: 10:00 AM - 1:35 PM (3 HRS. 35 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Accepted into the record a letter from Latham & Watkins LLC, received by the County on Friday, October 7, 2016 at 3:20 PM per the provisions of Board of Supervisors Resolution 91-333.

The motion carried by the following vote:

Ayes: 4 - Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

Abstained: 1 - Supervisor Carbajal

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

To conceptually:

a) Grant the appeal.

b) Grant the approval of the Careaga Alternative Project and make the required Findings for Approval of the Careaga Exclusion Alternative, including CEQA Findings.

c) Certify the EIR for the Careaga Exclusion Alternative.

d) Approved the project.

e) Adopt the Mitigation Monitoring Program contained in the Conditions of Approval and the additional Mitigation Measures offered by PCEC.

The motion failed by the following vote:

Ayes: 2 - Supervisor Adam, and Supervisor Lavagnino

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

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

Directed staff to return to the Board on November 1, 2016 in Santa Maria with options for the Board to consider including but not limited to the Careaga Exclusion Alternative and the Careaga Exclusion Alternative with the California Tiger Salamander Exclusion including all additional information added to the record since the Planning Commission, and to include information regarding the reduction of wells for each alternative. Further directed that staff include appropriate project permit condition modifications and findings and that no alternative be eliminated including the option to deny the appeal.

The motion carried by the following vote:

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

Adjourned at 1:35 PM

Adjourned 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>