

**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*

*Chandra L. Wallar, County Executive Officer*

**Agenda**

**Tuesday, March 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](http://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 Orcutt Room, Social Services Building, 2125 Centerpointe Parkway, Betteravia Government Center, 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](http://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

*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>.*

## 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 February 19, 2013 Meeting****12:00 P.M. .... Recess to Closed Session****Report from Closed Session**COUNTY COUNSEL[13-00009](#)

Closed Session 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) (13-00001)*

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

**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[13-00143](#)

Adopt a Resolution proclaiming March 7, 2013 as Arbor Day in Santa Barbara County.

A-2) SUPERVISOR CARBAJAL[13-00148](#)

Adopt a Resolution of Commendation honoring Jaclyn Smith of the Public Health Department as the March 2013 Santa Barbara County Employee of the Month.

A-3) SUPERVISOR WOLF [13-00137](#)

Adopt a Resolution of Commendation recognizing the accomplishments of the Dos Pueblos High School Mock Trial Team.

**Honorary Resolutions**A-4) SUPERVISOR CARBAJAL, SUPERVISOR WOLF [13-00146](#)

Adopt a Resolution proclaiming March 2013 as Women's History Month in Santa Barbara County.

A-5) SUPERVISOR FARR [13-00158](#)

Adopt a Resolution of Commendation honoring Tona Wakefield, Santa Barbara County Jail Discharge Planner, for her service to Santa Barbara County.

A-6) SUPERVISOR FARR [13-00159](#)

Adopt a Resolution of Commendation honoring Custody Lieutenant Mark Mahurin upon his retirement from the Sheriff's Office after over 30 years of faithful and distinguished service to the citizens of Santa Barbara County.

A-7) SUPERVISOR ADAM [13-00145](#)

Adopt a Resolution celebrating the 50th anniversary of the Saint Louis De Montfort Catholic Church.

**Administrative Items**A-8) AGRICULTURAL COMMISSIONER [13-00138](#)

Approve the appointment of Alexandra Allen as an alternate to the Agricultural Advisory Committee, nominated by California Women for Agriculture.

A-9) COUNTY COUNSEL [13-00151](#)

Consider recommendations regarding a Contract with outside counsel for potential eminent domain litigation, as follows: (4/5 Vote Required.)

a) Approve and authorize the Chair to execute an Agreement for Professional Services between the County of Santa Barbara and attorney Duff Murphy, of the firm Oliver, Sandifer and Murphy, in the amount of \$50,000.00; and

b) Find that the proposed action is not a "project" under CEQA Guideline 15378(b)(4) in that it does not involve a commitment to any specific project which may result in a potentially significant impact to the environment.

**A-10) COUNTY EXECUTIVE OFFICE [13-00144](#)**

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

**A-11) GENERAL SERVICES [13-00149](#)**

Consider recommendations regarding Santa Maria Courthouse Hazard Mitigation Program, Project No. 8518, Contract Amendment No. 2, Fifth District, as follows:

a) Approve and authorize the Chair to execute Amendment No. 2 to the Contract with Diani Building Corp., Inc. for the Santa Maria Court Complex Hazard Mitigation Program project in the amount of \$42,930.00, for a total amended contract amount of \$623,636.25; and

b) Find that no substantial changes are proposed and no new information of substantial importance has come to light regarding environmental effects of the project and, therefore, the project is within the scope of the Notice of Exemption approved by your Board pursuant to Title 14 CCR 15332 on November 18, 2009, and that, therefore, no new environmental document is required.

**A-12) PROBATION [13-00153](#)**

Consider recommendations regarding the designation of the Probation Department as the collecting agency for realigned offenders and increase of victim restitution collection fee, as follows: (4/5 Vote Required.)

a) Designate the Probation Department as the agency responsible for collecting fines, fees, and restitution from persons sentenced under California Penal Code (PC) Section 1170 (h); and

b) Adopt a Resolution setting the fee pursuant to PC Section 1203.1 (l) for the administrative cost of collecting restitution on adult offenders at 15% of the amount of restitution ordered.

**A-13) PROBATION [13-00156](#)**

Receive and file the public safety realignment Quarterly Impact Reports for October through December 2012.

**A-14) PUBLIC WORKS [13-00155](#)**

Consider recommendations regarding Tajiguas Landfill Phase IIIA Groundwater Protection System, County Project No. 828357, Third District, as follows:

a) Review and approve the Statement of Final Quantities for work performed and materials supplied for this project by the contractor, Raminha Construction, Inc. in the amount of \$5,065,571.40; and

b) Find that the proposed action does not constitute a “project” within the meaning of CEQA, pursuant to 14 CCR 15378(b)(5), in that it is a governmental administrative activity that will not result in direct or indirect changes to the environment.

A-15) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [13-00147](#)

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

Consider recommendations regarding Lower Mission Creek Flood Control Project, Reach 1B, Second District, as follows:

- a) Authorize the Public Works Director to advertise and receive bids for the Lower Mission Creek Flood Control Project, Reach 1B; and
- b) Find that pursuant to the California Environmental Quality Act (CEQA) Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the proposed action and therefore pursuant to CEQA Section 15162, the Lower Mission Creek Flood Control Project, Reach 1B is within the scope of the project covered by the EIS/EIR for the Lower Mission Creek Flood Control Project as well as the Findings and Statement of Overriding Considerations accepted by the Board as a Responsible Agency on May 11, 2011, and no new environmental document is required

A-16) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT [13-00154](#)

Acting as the Board of Directors, Laguna County Sanitation District:

Consider recommendations regarding an Agreement for a Proposition 84, Round 2 Grant Application through the Integrated Regional Water Management Plan for Santa Barbara County, as follows: (4/5 Vote required.)

- a) Adopt a Resolution authorizing the Public Works Director or his designees to enter into the Agreement for the Round 2 Proposition 84 Implementation Grant Application Process with the Cachuma Resource Conservation District; and
- b) Find that the proposed actions do not constitute a "Project" within the meaning of the California Quality Act (CEQA), pursuant to 14 CCR 15378 (b)(5), in that the actions are government administrative activities that will not result in direct or indirect changes in the environment.

A-17) TREASURER-TAX COLLECTOR [13-00150](#)

Adopt a Resolution authorizing the Santa Barbara Community College District to issue and sell Santa Barbara Community College District General Obligation Bonds, Series B, directly, in accordance with Education Code section 15140(b), in an amount not to exceed \$30,242,000.00.

**Board of Supervisors****A-18) SUPERVISOR WOLF [13-00139](#)**

Approve the appointment of Otis Calef to the Riding and Hiking Trails Advisory Committee, open term, Second District.

**A-19) SUPERVISOR WOLF [13-00142](#)**

Approve the appointment of Tania Israel to the Commission for Women, term ending October 30, 2014, Second District.

**A-20) SUPERVISOR WOLF, SUPERVISOR FARR [13-00140](#)**

Approve the appointment of Pamela Holst to the Library Advisory Committee, representing County Service Area 3, term ending June 30, 2013.

**Hearing Requests****A-21) PLANNING AND DEVELOPMENT [13-00152](#)**

Set hearing to consider recommendations of the Montecito Planning Commission to approve Case No. Case No. 12ORD-00000-00016 which would amend Division 35.9, Montecito Land Use and Development Code Administration, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, to give the Director the discretion to grant an additional extension to the time period in which the reconstruction of a nonconforming structure must commence in situations where substantial offsite infrastructure improvements are required to be completed prior to commencement of reconstruction, as follows:

(Set hearing for 3/12/13. Time estimate: 15 minutes.)

- a) Make the findings for approval, including CEQA findings, of the proposed Ordinance;
- b) Determine that the adoption of this Ordinance is exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and
- c) Approve Case No. 12ORD-00000-00016, an Ordinance amending Division 35.9, Montecito Land Use and Development Code Administration, of Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code.

**Approval of Administrative Agenda**

**Departmental Agenda**  
**Planning Items and Public Hearings**

**Department requests continuance of Departmental Item No. 1) to March 12, 2013**

1) COMMUNITY SERVICES

[13-00093](#)

HEARING - Consider recommendations regarding adjustments to County parks' fees for special use of day use park facilities and camping fees, and establishing new fees for use of aquatic facilities and aquatic programs and services, as follows: (EST. TIME: 30 MIN.)

a) Adopt a Resolution adjusting County parks' fees for special use of day use park facilities and camping fees, and establishing new fees for use of aquatic facilities and aquatic programs and services; and

b) Determine that the adoption of the Resolution is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21080(b)(8) of the California Public Resources Code and CEQA Guidelines Section 15273(a)(1), (2), (3) and (4) since CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of: (1) Meeting operating expenses, including employee wage rates and fringe benefits, (2) Purchasing or leasing supplies, equipment, or materials, (3) Meeting financial reserve needs and requirements, (4) Obtaining funds for capital projects necessary to maintain service within existing service areas and direct staff to file the attached Notice of Exemption on that basis.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 3/12/13



**Department requests continuance of Departmental Item No. 2) to March 12, 2013**2) 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.)

- 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: CONTINUE TO 3/12/13

3) COMMUNITY SERVICES, SUCCESSOR AGENCY TO THE FORMER SANTA BARBARA COUNTY REDEVELOPMENT AGENCY [13-00157](#)

HEARING - Consider recommendations regarding a two-year option, from the County, to the Housing Authority of the County of Santa Barbara, to purchase real property at 761 Camino Pescadero Road for the Pescadero Lofts Affordable Housing Project, Third District, as follows: (EST. TIME: 15 MIN.) (4/5 Vote Required).

Acting as the Successor Agency to the former Santa Barbara County Redevelopment Agency:

- a) Determine that the previously certified EIR prepared for the Isla Vista Master Plan (03-EIR-08) is adequate environmental review for this project pursuant to CEQA Guidelines Section 15168(c)(2);
- b) Approve and authorize the Chair to execute a quitclaim deed in accordance with Health & Safety Code Section 34176(a), to transfer interest in the real property housing asset located at 761 Camino Pescadero, known as Assessor Parcel Number 075-020-005, from the Successor Agency to the former Santa Barbara County Redevelopment Agency, to the County of Santa Barbara;

Acting as the Board of Supervisors of the County of Santa Barbara:

- c) Determine that the previously certified EIR prepared for the Isla Vista Master Plan (03-EIR-08) is adequate environmental review for this project pursuant to CEQA Guidelines Section 15168(c)(2);
  
- d) Accept title to the real property housing asset, conveyed from the Successor Agency to the former Santa Barbara County Redevelopment Agency and located at 761 Camino Pescadero, in unincorporated area of Isla Vista, and known as County Assessor Parcel Number 075-020-005, by authorizing the Clerk of the Board to execute the Certificate of Acceptance attached to the quitclaim deed;
  
- e) Receive and file the General Plan Conformity Report, in accordance with Government Code Section 65402(a), transmitted by the County Planning Commission on February 6, 2013 under Case No. 13GOV-00000-00001;
  
- f) Determine that the real property owned by the County located at 761 Camino Pescadero, known as Assessor Parcel Number 075-020-005, in accordance with Government Code Section 25339.4(a), can be used to provide housing affordable to persons and families of low or moderate income, as defined by Section 50093 of the Health and Safety Code or as defined by the United States Department of Housing and Urban Development, and that granting the Housing Authority of the County of Santa Barbara a two-year option to purchase that property to provide that affordable housing is in the County's best interests; and
  
- g) Approve and authorize the Chair to execute the Option Agreement between the County of Santa Barbara and the Housing Authority of the County of Santa Barbara, for a two-year option for the Housing Authority of the County of Santa Barbara to purchase County property known as APN 075-020-005 located at 761 Camino Pescadero, Isla Vista, CA, for the cash price of \$2,900,000.00, to provide affordable housing.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

4) TREASURER-TAX COLLECTOR[13-00132](#)

HEARING - Consider recommendations regarding an Ordinance to amend Section 2-10.8 of Article 1 of Chapter 2 of the Santa Barbara County Code to recover certain tax auction mandated costs, as follows: (EST. TIME: 5 MIN.)

- a) Consider the introduction (first reading) of an Ordinance amending Section 2-10.8 of the Santa Barbara County Code to establish fees for the Treasurer-Tax Collector's Office;
- b) Receive and file a report on costs related to certain fees charged by the Treasurer-Tax Collector (available for public inspection at least ten (10) days prior to the hearing date at the Treasurer-Tax Collector's Office, 105 E. Anapamu Street, Room 109, Santa Barbara, CA; week days 8:00 am to 5:00 pm); and
- c) Set a hearing on the Administrative Agenda for March 12, 2013 to consider recommendations, as follows:
  - i) Consider the adoption (second reading) of an Ordinance amending Section 2-10.8 of the Santa Barbara County Code to establish fees for the Treasurer-Tax Collector's Office; and
  - ii) Determine that the above action(s) are not a "project" under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines because they consist 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.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

5) COUNTY EXECUTIVE OFFICE[13-00096](#)

HEARING - Consider recommendations regarding the annexation of territory known as Clark Avenue Commercial Shopping Center/Key Site 4, APN 103-750-38, into the Orcutt Community Facilities District, No. 2002-1, and levy special taxes on the proposed parcel to be annexed, as follows: (EST. TIME: 10 MIN.)

- a) Receive testimony regarding written protests that have been filed, if any;
- b) Certify the results of a special election and adopt a Resolution declaring results of special election and directing recording of notice of special tax lien;
- c) Consider the introduction (first reading) of an Ordinance entitled “An Ordinance of the Board of Supervisors of the County of Santa Barbara Approving Annexation of Territory to Orcutt Community Facilities District, No. 2002-1, and Authorizing the Levy of Special Taxes Therein”; and
- d) Set a hearing on the Administrative Agenda of March 19, 2013, to consider recommendations, as follows:
  - i) Consider the adoption (second reading) of an Ordinance approving annexation of territory to Orcutt Community Facilities District (No. 2002-1) and authorizing the levy of special taxes therein; and
  - ii) Find that the proposed actions do not constitute a “Project” within the meaning of CEQA, pursuant to 14 CCR 15378 (b)(4) (creation of government funding mechanisms).

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

**Adjourn to****March 12, 2013****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, March 5, 2013 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, March 7, 2013, at 5:00 PM and on Saturday, March 9, 2013, at 10:00 AM on CSBTV Channel 20.*

**<http://www.countyofsb.org>**