

**County of Santa Barbara**  
**BOARD OF SUPERVISORS**



*First District - Salud Carbajal, Vice-Chair*

*Second District - Janet Wolf*

*Third District - Doreen Farr, Chair*

*Fourth District - Joni Gray*

*Fifth District - Steve Lavagnino*

*Chandra L. Wallar, County Executive Officer*

**Agenda**

**Tuesday, May 1, 2012**

**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, Redevelopment 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 Betteravia Government Center, Board Hearing 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](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 April 17, 2012 Meeting****12:00 P.M. .... Recess to Closed Session****Report from Closed Session**COUNTY COUNSEL[12-00009](#)

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) (12-00001)*

*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[12-00335](#)

Adopt a Resolution of Commendation honoring the Santa Barbara High School Cheer Team upon its championship in the USA Nationals.

A-2) SUPERVISOR CARBAJAL [12-00362](#)

Adopt a Resolution proclaiming May 11, 2012 as National Public Gardens Day in Santa Barbara County.

A-3) SUPERVISOR WOLF [12-00348](#)

Adopt a Resolution proclaiming the week of April 22, 2012 through April 28, 2012 as National Crime Victims' Rights Week in Santa Barbara County.

A-4) SUPERVISOR FARR [12-00338](#)

Adopt a Resolution of Commendation honoring Teñell Matlovsky of the Surveyors Division of the Public Works Department as the May 2012 County of Santa Barbara Employee of the Month.

A-5) SUPERVISOR LAVAGNINO [12-00342](#)

Adopt a Resolution proclaiming the week of April 21, 2012 through April 28, 2012 as National Infant Immunization Week, and the month of May 2012 as Toddler Immunization Month in Santa Barbara County.

A-6) SUPERVISOR LAVAGNINO [12-00343](#)

Adopt a Resolution proclaiming May 6, 2012 as National Nurses' Day, and the week of May 6, 2012 through May 12, 2012 as National Nurses' Week in Santa Barbara County.

**Honorary Resolutions**A-7) SUPERVISOR CARBAJAL, SUPERVISOR WOLF [12-00331](#)

Adopt a Resolution of Commendation honoring the Junior League of Santa Barbara for their partnership with the Franklin Children's Center.

A-8) SUPERVISOR CARBAJAL, SUPERVISOR FARR [12-00334](#)

Adopt a Resolution proclaiming the month of May 2012 as Older Americans Month in Santa Barbara County.

A-9) SUPERVISOR FARR [12-00328](#)

Adopt a Resolution of Commendation honoring Custody Deputy Roger Allan Johnson upon his retirement from the Sheriff's Department after 20 years of faithful and distinguished service to the citizens of Santa Barbara County.

A-10) SUPERVISOR GRAY, SUPERVISOR LAVAGNINO [12-00329](#)

Adopt a Resolution proclaiming the week of May 1, 2012 through May 7, 2012 as Elks National Youth Week in Santa Barbara County.

**Administrative Items****A-11) COMMUNITY SERVICES**[12-00355](#)

Consider recommendations regarding an Agreement to provide affordable housing for the St. George Multi Unit Housing Project, Nos. 08DVP-00000-0040 and 09CDP-00000-00039, Third District, as follows:

- a) Approve and authorize the Chair to execute an Agreement to Provide Affordable Housing and Rental Restrictive Covenant (the Agreement and Covenant) for the St. George Multi Unit Housing Project, Nos. 08DVP-00000-0040 and 09CDP-00000-00039 in Isla Vista;
- b) Direct the Community Services Department staff to record the Agreement and Covenant; and
- c) Determine that the approval of the Agreement and Covenant is exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines, Section 15061(b) (3), because of the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and there is no possibility that the approval of the Agreement and Covenant may have a significant effect on the environment; and
- d) Approve the filing of a Notice of Exemption on that basis.

**A-12) COUNTY COUNSEL, COUNTY EXECUTIVE OFFICE**[12-00347](#)

Approve and authorize the Chair to execute an Agreement for Professional Legal Services with David L. Allen, Attorney at Law, for the period of May 1, 2012 through April 30, 2013, in an amount not to exceed \$25,000.00.

**A-13) COUNTY EXECUTIVE OFFICE**[12-00341](#)

Receive and file a report from the Santa Barbara County Employees' Retirement System's (SBCERS) actuary regarding the anticipated financial impact of establishing a new retirement plan for employees hired on or after June 25, 2012.

**A-14) COUNTY EXECUTIVE OFFICE**[12-00361](#)

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

**ADDENDUM****Item A-15) on the Administrative Agenda is amended, as follows:****A-15) GENERAL SERVICES****12-00349**

Consider recommendations regarding the transfer of a remaining portion of the Figueroa Court Building Parcel to the State Administrative Office of the Courts, First District, as follows:

- a) Determine that the County-owned property located in the parking lot behind the Probation Building, a portion of ~~APN 029-211-025~~ APN 029-211-002, is not required for County use;
- b) Approve and authorize the Chair to execute a Property Acquisition Agreement between the County of Santa Barbara and the State of California, acting through the Judicial Council of California, Administrative Office of the Courts (AOC), for the sale of a portion of a County-owned parcel of land known as ~~APN 029-211-025~~ APN 029-211-002, located on the easterly side of the Probation Building parking lot, in the City of Santa Barbara for a purchase price of \$129,000.00;
- c) Approve and authorize the Chair to execute a Grant to be deposited into escrow and recorded upon the close of escrow;
- d) Find that the proposed actions are exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to 14 CCR 15312; and
- e) Approve the filing of a Notice of Exemption on that basis.

**A-16) GENERAL SERVICES****12-00353**

Consider recommendations regarding an award of Contract to Smith Electric Service for the Santa Barbara Courthouse Air Handler Retrofit Project No. F02003, First District, as follows:

- a) Approve the plans and specifications for the Santa Barbara Courthouse Air Handler Retrofit Project No. F02003, which are available from General Services Facilities Division;
- b) Approve and authorize the Chair to execute a Contract with Brannon, Inc. dba Smith Electric Service (a local vendor) for the Courthouse Air Handler Retrofit Project, in the amount of \$1,088,888.00;
- c) Authorize the Director of General Services to approve change orders of an amount not to exceed 10% of the base amount of \$250,000.00 plus 5% of the bid in excess of the base amount, or \$66,944.00 for this contract; and
- d) Find that the proposed action is for the operation, repair or maintenance of an existing public structure and its mechanical equipment, involving negligible or no expansion of use beyond that which presently exists and that the proposed action is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301.

**A-17) PLANNING AND DEVELOPMENT**[12-00327](#)

Consider recommendations regarding a Santa Claus Lane Agreement for Services with MNS Engineers, First District, as follows:

a) Approve and authorize the Chair to execute an Agreement for Services with MNS Engineers (a local vendor) for consultant services for the period of May 1, 2012 through December 31, 2012, in an amount not to exceed \$4,585.00, bringing the cumulative contract amount to \$104,285.00;

b) Find that the proposed actions consist of basic data collection and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource and is therefore exempt from further the California Environmental Quality Act (CEQA) review pursuant to 14 CCR 15306; and

c) Approve a Notice of Exemption.

**A-18) PLANNING AND DEVELOPMENT**[12-00346](#)

Receive and file the 2011 Comprehensive Plan Annual Progress Report as required by Government Code Section 65400.

**A-19) PLANNING AND DEVELOPMENT**[12-00351](#)

Consider recommendations regarding the Tompkins New Agricultural Preserve Contract, Santa Maria area, Fourth District, as follows:

a) Approve the creation of one new prime Agricultural Preserve, Case No. 11AGP-00000-00024, on a single 148.41-acre parcel, APNs 129-120-029, 129-120-040, 129-120-041, and 129-120-042, located approximately 1/2 mile northeast of the intersection of Telephone Road and Clark Avenue, known as 2617 Clark Avenue;

b) Determine that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15317;

c) Approve the filing of a Notice of Exemption on that basis;

d) Approve and authorize the Chair to execute a Contract creating Agricultural Preserve No. 11AGP-00000-00024; and

e) Adopt a Resolution creating Agricultural Preserve No. 11AGP-00000-00024.

**ADDENDUM****Item A-20) on the Administrative Agenda is amended, as follows:****A-20) PLANNING AND DEVELOPMENT**[12-00352](#)

Consider recommendations regarding the authorization of a Professional Services Contract with AMEC Environmental and Infrastructure, Inc. to prepare an Environmental Impact Report (EIR) for the Goleta Beach County Park Managed Beach Retreat Project 2.0, as follows: (4/5 Vote Required)

a) Accept a United States Department of the Interior Fish and Wildlife Service Grant for Goleta Beach Park Coastal Access and Recreational Enhancement (Goleta Beach 2.0), Grant No. F12AF00307, in the amount of \$1,501,322.00;

b) Approve a Budget Revision Request establishing appropriations totaling ~~\$1,501,322.00~~ \$310,000.00 in the Community Services Department General Fund, for the purposes of funding continuing work on the Goleta Beach 2.0 project, as follows:

i) \$20,000.00 for continuing preliminary design work;

ii) \$90,000.00 for Department of Planning and Development review and processing of an Environmental Impact Report; and

iii) \$200,000.00 for cost of Environmental Impact Report preparation; and

~~iv) \$1,191,322.00 to designate the remaining grant funds for future project expenditures; and~~

c) Approve and authorize the Chair to execute a Professional Services Contract with AMEC (a local vendor) to prepare an Environmental Impact Report (EIR) for the Goleta Beach County Park Managed Beach Retreat Project 2.0, for the period of May 1, 2012 through September 1, 2013, in an amount not to exceed \$194,094.00, which includes a base cost of \$176,449.00 as proposed by the consultant and a 10% contingency cost of \$17,645.00.



**A-21) PLANNING AND DEVELOPMENT**[12-00357](#)

Consider recommendations regarding the California Coastal Commission's Certification of the Article II Coastal Zoning Ordinance Medical Marijuana Dispensary Amendment, as follows:

- a) Receive notice of the California Coastal Commission's certification without any suggested modifications of the Article II Coastal Zoning Ordinance Medical Marijuana Dispensary Amendment, County Case No. 11ORD-00000-00031, Coastal Commission Case No. STB-MAJ-2-11;
- b) Adopt a Resolution that acknowledges receipt, accepts, and agrees to the California Coastal Commission's certification of the Medical Marijuana Dispensary Amendment and agrees to issue Coastal Development Permits for the total area included in the County's Local Coastal Program; and
- c) Approve and authorize the Chair to execute a letter transmitting the Resolution to the California Coastal Commission.

**A-22) PUBLIC WORKS**[12-00269](#)

Consider recommendations regarding speed limits on various roads First, Third and Fourth Districts, as follows:

- a) Consider the adoption (second reading) of an Ordinance amending Chapter 23 Sections 23-15.2, 23-15.3, 23-15.4, 23-15.5 & 23-15.7 of the Santa Barbara County Code, pertaining to speed limits on the subject roads described herein;
- b) Find that the proposed action is for the operation and maintenance of existing public facilities, involving negligible, or no expansion of use beyond that which presently exists, that the proposed action is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301; and
- c) Approve the filing of a Notice of Exemption on that basis.

**A-23) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY**[12-00356](#)

Acting as the Board of Directors, Water Agency:

Consider recommendations regarding the Santa Barbara County 2011 Groundwater Report, as follows:

- a) Receive and file the Santa Barbara County 2011 Groundwater Report;
- b) Authorize distribution of the report and public information contained within the report;
- c) Find that the Santa Barbara County 2011 Groundwater Report is exempt under California Environmental Quality Act (CEQA) guidelines, Section 15306 (Class 6) basic data collection, research, experimental management, and resource evaluation activities; and
- c) Approve the filing of a Notice of Exemption on that basis.

**A-24) SHERIFF [12-00339](#)**

Consider recommendations regarding equipment donations for the Sheriff's Office, as follows: (4/5 Vote Required)

a) Approve the acceptance of \$501,589.00 worth of equipment for the Sheriff's Office from the Santa Barbara Special Enforcement Team Support Foundation, INC, a 501(c)3 non-profit organization; and

b) Approve Budget Revision Request No. 0002153 recognizing the donation and capital asset.

**Board of Supervisors****A-25) SUPERVISOR FARR [12-00358](#)**

Approve the appointment of Sylvia Uribe to the Human Services Commission, term ending June 30, 2015, Third District.

**A-26) SUPERVISOR GRAY [12-00333](#)**

Approve the appointment of Richard "Kam" Jacoby to the Santa Barbara County Arts Commission, term ending June 30, 2015, Fourth District.

**A-27) SUPERVISOR LAVAGNINO [12-00330](#)**

Approve the appointment of Margie Lopez to the Mental Health Commission as an Alternate Member, term ending May 1, 2015, Fifth District.

**A-28) SUPERVISOR LAVAGNINO [12-00332](#)**

Approve the appointment of Ken Bonner to the Mental Health Commission, term ending August 1, 2013, Fifth District.

**A-29) SUPERVISOR LAVAGNINO [12-00359](#)**

Approve the appointment of Ruth E. Jensen to the Agricultural Advisory Committee, open term, Fifth District.

**Hearing Requests****A-30) COMMUNITY SERVICES**[12-00354](#)

Set hearing to consider recommendations regarding review of the arbitrator's decision for the Nomad Village Mobilehome Park, as follows:

(Set hearing for 5/15/12. Time estimate: 1 hour)

- a) Consider a review of the Arbitrator's December 20, 2011 Opinion and Award in the matter of arbitration between Nomad Village Mobile Homeowners and Nomad Village Mobile Home Park, pursuant to Rule 23 of the Mobilehome Rent Control Rules for hearings and Chapter 11A, Section 11A-4 of the Santa Barbara County Code;
- b) Determine that the Board's review of the Arbitrator's Opinion and Award is not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA); and
- c) Approve the filing of a Notice of Exemption on that basis.

**A-31) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY  
SANITATION DISTRICT**[12-00345](#)

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

Set hearing to consider recommendations regarding a Laguna County Sanitation District Board Ordinance adopting service charges, connection fees, and trunk line fees, and a Resolution relative to the collection of service charges on the tax roll, Third, Fourth, and Fifth Supervisorial Districts, as follows:

(Set hearing for 6/19/12. Time estimate: 15 minutes.)

- a) Consider the introduction (first reading) of an Ordinance amending Ordinance No. 3130 to revise service charges, connection fees and other related fees for the Laguna County Sanitation District;
- b) Receive and file a Fixed Charge Report for Fiscal Year 2012/2013;
- c) Set a hearing on the Administrative Agenda of July 10, 2012 to consider recommendations, as follows:
  - i) Consider the adoption (second reading) of an Ordinance amending Ordinance No. 3130 to revise service charges, connection fees and other related fees for the Laguna County Sanitation District;
  - ii) Adopt a Resolution relative to the collection of service charges on the tax rolls;
  - iii) Adopt the written findings in the Notice of Exemption that no expansion of services or facilities will result, and that any increased revenues will be used for meeting operating expenses and financial reserve needs and requirements, and that the action is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR Section 15273; and
  - iv) Approve the filing of a Notice of Exemption on that basis.

**Resolutions to be Presented****ADDENDUM****Item A-32) is added to the Administrative Agenda, as follows:****A-32) SUPERVISOR FARR**[12-00379](#)

Adopt a Resolution proclaiming the week of May 7, 2012 through May 11, 2012 as Senior Corps Week in Santa Barbara County, and honoring and celebrating Retired Senior Volunteer Program (RSVP) volunteers.

**Approval of Administrative Agenda**

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

**Department Requests the Continuance of Departmental Item 1) to May 15, 2012**

1) PLANNING AND DEVELOPMENT 12-00236

HEARING - Consider recommendations regarding a Santa Barbara Ranch Inland Development Agreement and Consideration of Consent to Transfer Agreement, as follows:  
(EST. TIME: 30 MIN.)

a) Receive and file a written request from SBRHC, Inc. for the County to consent to a proposed Transfer Agreement, between SBRHC, Inc. and CIP II/BR SBR, LLC, of respective interests, rights and obligations under the Inland Development Agreement, Inland Project Approvals and Subsequent Inland Approvals for the Santa Barbara Ranch Project; and either

b) Pursuant to Section 8.02 of the Inland Development Agreement for the Santa Barbara Ranch Project, approve and authorize the Chair to execute a written Consent to Transfer Agreement, which includes a statement that since the determination of Inland Development Agreement rights and obligations remains the subject of ongoing “quiet title” litigation in Santa Barbara Superior Court Case No. 1379764, between the Original Developers and SBHRC, Inc., the County reasonably cannot at this time certify those respective rights; and

c) After considering the Final Environmental Impact Report (EIR), State Clearinghouse No. 2005011049 that the Board of Supervisors certified on October 21, 2008, determine pursuant to 14 CCR 15162(a) that no subsequent EIR or Negative Declaration is required for this project because the County cannot determine on the basis of substantial evidence in light of the whole record that:

i) Substantial changes are proposed in the project which will require major revisions of the 2008 Final EIR;

ii) Substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the 2008 Final EIR; or

iii) New information of substantial importance concerning the project’s significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the Final EIR was certified in 2008, has been received that requires a subsequent EIR or Negative Declaration; or

d) Determine that the County cannot reasonably and presently consent to the proposed Transfer Agreement because the proposed Transferee has not provided adequate evidence of its own financial resources to be able to perform the obligations proposed to be assumed.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: CONTINUE TO 5/15/2012

2) COUNTY EXECUTIVE OFFICE [12-00360](#)

HEARING - Consider amending the 2012 meeting schedule of the Board of Supervisors by cancelling the scheduled meetings of June 5, 2012 in Santa Barbara and July 3, 2012 in Santa Barbara, and by adding meeting dates on May 22, 2012 in Santa Barbara and June 26, 2012 in Santa Barbara. (EST. TIME: 5 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) PLANNING AND DEVELOPMENT [12-00242](#)

HEARING - Consider recommendations regarding an appeal filed by Craig Geyer, Case No. 11APL-00000-00027, of the Planning Commission's December 7, 2011 approval of the Santa Barbara Student Housing Cooperative Change of Use located at 777 Camino Pescadero in the Isla Vista area, APN 075-020-037, Case Nos. 10DVP-00000-00019, 10CUP-00000-00033 and 10CDP-00000-00082, Third District, as follows: (EST. TIME: 45 MIN.)

- a) Deny the appeal, Case No. 11APL-00000-00027, thereby upholding the County Planning Commission's approval of the project;
- b) Make the required findings for the project, including California Environmental Quality Act (CEQA) findings;
- c) Determine the project is exempt from CEQA pursuant to Section 15303 of the State Guidelines for the Implementation of the California Environmental Quality Act, as specified in the Notice of Exemption;
- d) Approve de novo the Development Plan for the proposed student housing facility, 10DVP-00000-00019, subject to the conditions included in the Conditions of Approval, including Development Plan modifications to the setback regulations to allow a trash enclosure in the rear setback, a storage shed and a covered bicycle parking structure in the front setback north of the existing building, and two uncovered bicycle racks in the front setback east of the existing building;
- e) Approve de novo the Minor Conditional Use Permit for the proposed meeting room for non-profit organizations, 10CUP-00000-00033, subject to the conditions included in the Conditions of Approval, including Conditional Use Permit modifications to the parking regulations to allow a parking space in the front setback north of the existing building, to the requirement that specific off-site parking spaces be "permanently dedicated" to residents of the proposed student housing facility, and to increase the allowed maximum distance between the proposed student housing facility and off-site parking spaces from 500 feet to approximately 700 to 2,300 feet; and
- f) Approve de novo the Coastal Development Permit, 10CDP-00000-00082, subject to the conditions included in the Coastal Development Permit.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

4) PUBLIC WORKS[12-00290](#)

HEARING - Consider recommendations regarding the Measure A Program of Projects for Fiscal Year 2012/2013 and Local Streets and Roads Backlog, as follows: (EST. TIME: 20 MIN.)

- a) Adopt a Resolution for the Measure A Five-Year Local Program of Projects for Fiscal Years 2012/2013 through 2017/2018, for submittal to the Santa Barbara County Local Transportation Authority for acceptance;
- b) Reaffirm Resolution No. 10-101, which established priorities and policies for the use of the local portion of the one-half cent sales tax for the transportation needs in Santa Barbara County;
- c) Find that the proposed action(s) do not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to 14 CCR 15378(b)(2) (continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy and procedure making);
- d) Approve a Notice of Exemption;
- e) Reaffirm the distribution ratios of Measure A revenues within Supervisorial Districts of the North County and South Coast; and
- f) Direct staff to prepare the Fiscal Year 2012/2013 Road Maintenance Annual Plan (RdMAP) based upon the approved Measure A distribution formula.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

5) GENERAL SERVICES[12-00350](#)

HEARING - Consider recommendations regarding a Construction Contract Award for the Lompoc Animal Shelter Renovation, Project No. 8592, Fourth District, as follows: (EST. TIME: 20 MIN.)

- a) Consider the protest by Tomar Construction, Inc. against the low bid submitted by STC Development, Inc., for the Lompoc Animal Shelter Renovation;
- b) Find the protest by Tomar Construction, Inc., to be without merit;
- c) Consider the protest by K.J. Cain Co., Inc., against the low bid submitted by STC Development, Inc., for the Lompoc Animal Shelter Renovation;
- d) Find the protest by K.J. Cain Co., Inc., to be without merit; and
- e) Approve the request of STC Development, Inc. to substitute J.R. Barto in place of their listed HVAC subcontractor, Western Mechanical;
- f) Find that STC Development, Inc., is the lowest responsible bidder;
- g) Approve the award of a fixed price Construction Contract in the amount of \$209,300.00 to the lowest responsive bidder, STC Development, Inc., of Shingle Springs, California, subject to the provisions of the attached contract and the plans and specifications applicable to the project and as required by California Law;
- h) Approve and authorize the Chair to execute the Construction Contract upon return of the Contractor's executed contract documents, and the review and approval of the County Counsel, Auditor-Controller and Risk Manager or their authorized representatives;
- i) Authorize the Director of General Services or designee to approve change orders up to the limit specified in Public Contract Code Section 20142, or \$20,930.00 for this contract; and
- j) Find that a Notice of Exemption under California Environmental Quality Act (CEQA) Guidelines Section 15301 was approved by the Board for this construction project on January 17, 2012, and that the award of a contract for the previously-approved project is therefore an administrative activity not constituting a "Project" within the meaning of the California Environmental Quality Act (CEQA), as set forth in 14 CCR 15378(b)(2).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE



**Departmental Item No. 6) Time Certain - 1:30 P.M.****6) PLANNING AND DEVELOPMENT**[12-00307](#)

HEARING - Consider recommendations regarding an appeal filed by Jeff Nelson, the applicant, of the County Planning Commission's determination that the Draft Mitigated Negative Declaration prepared for the Park Hill Estates v.2 project, located at 4700 Via Los Santos in the Goleta area involving APN 059-290-041, Case No. 10TRM-00000-00001, is inadequate and that a focused EIR to evaluate impacts on biological resources and fire protection is required, Second District, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Determine that the Mitigated Negative Declaration is inadequate and that an Environmental Impact Report (EIR) is required because there is substantial evidence in the record that the project may have a significant effect on the environment and there is a fair argument that a project may have a significant effect on the environment;
- b) Deny the appeal, thereby upholding the County Planning Commission's action; and
- c) Direct staff to prepare a focused EIR on biological resources and fire protection and bring the project back to the County Planning Commission for further consideration upon completion of the EIR.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

**7) COUNTY EXECUTIVE OFFICE**[12-00336](#)

HEARING - Consider recommendations regarding a response to the Grand Jury Report titled "Requiem for Redevelopment", as follows: (EST. TIME: 30 MIN.)

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

- a) Consider and adopt the recommended responses as the responses by the County of Santa Barbara, as the Successor Agency to the former County of Santa Barbara Redevelopment Agency, to the 2011 - 2012 Grand Jury report entitled "Requiem for Redevelopment"; and
- b) Approve and authorize the Chair to execute a letter forwarding the responses to the Presiding Judge.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

8) COMMUNITY SERVICES[12-00295](#)

HEARING - Consider recommendations regarding the Santa Barbara County HOME Consortium and CDBG Urban County Partnership 2012 Annual Action Plan and Annual Action Plan Substantial Amendments (2008-2011), as follows: (EST. TIME: 1 HR.)

a) Receive and file a staff report on the Santa Barbara County HOME Consortium and CDBG Urban County Partnership draft 2012 Annual Action Plan and the annual Notice of Funding Availability process, including recommendations for award of HOME Investment Partnerships Act (HOME), Community Development Block Grant (CDBG), and Emergency Solutions Grants (ESG) funding;

b) Direct staff to finalize the 2012 Annual Action Plan and return to the Board on May 8, 2012 for consideration of approval for final submission to the United States Department of Housing and Urban Development (HUD);

c) Direct staff to finalize the 2011 ESG Substantial Amendment, part of the 2011 amended Annual Action Plan, and return to the Board on May 8, 2012 for consideration of approval for final submission to HUD;

d) Direct staff to finalize the 2008 and 2010 Annual Action Plan Substantial Amendments and return to the Board on May 8, 2012 for consideration of approval for final submission to HUD; and

e) Set hearing on the Administrative Agenda of May 8, 2012 to consider recommendations after completion of the required 30-day public comment period on May 4, 2012, as follows:

i) Approve the 2012 Annual Action Plan for final submission to HUD;

ii) Adopt a Resolution authorizing submittal of the 2012 Annual Action Plan to HUD;

iii) Approve the 2011 ESG Substantial Amendment for final submission to HUD;

iv) Approve the 2008 and 2010 Annual Action Plan Substantial Amendments for final submission to HUD;

v) Authorize the County Executive Officer or designee to execute all certifications, standard forms and other related documents required for HOME, CDBG and ESG Program administration and implementation and for submittal to and approval by HUD of the 2012 Annual Action Plan and the 2011 ESG Substantial Amendment;

vi) Determine that the approvals of the 2012 Annual Action Plan, the 2011 ESG Substantial Amendment, and the 2008 and 2010 Annual Action Plan Substantial Amendments are not the approvals of projects that are subject to environmental review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15378 (b)(4), finding that the project is a creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; and

vii) Direct staff to file a Notice of Exemption.

## COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

9) COUNTY EXECUTIVE OFFICE[12-00215](#)

HEARING - Consider recommendations regarding a Tax Transfer Resolution between the County of Santa Barbara and the Santa Barbara County Fire Protection District, as follows:  
(EST. TIME: 1 HR.)

Acting as the Board of Supervisors and the Board of Directors, Santa Barbara County Fire Protection District:

a) Conduct a public hearing on the effect of the proposed tax transfer on fees, charges, assessments, taxes or other revenues as required by Revenue and Taxation Code Section 99.02(e); and

b) Close the public hearing;

Acting as the Board of Supervisors:

c) Consider and confirm Board policy that the Santa Barbara County Fire Protection District funding is to equal 16 or 17% of the allocable taxes from all tax rate areas in the District and the Board has determined that a tax transfer is the best way to achieve that policy;

d) Consider and adopt proposed findings as required by Revenue and Taxation Code Section 99.02(f);

e) Adopt one of the attached Resolutions which directs the Auditor-Controller of the County to allocate and pay directly to the Santa Barbara County Fire Protection District (District) property taxes, base property taxes and the property tax increment, which otherwise would have been allocated to the County General Fund from those tax rate areas shared by the County General Fund and the District under the Revenue and Taxation Code Section 99.02, as follows:

i) In Fiscal Year 2012/2013 only, an amount of \$5.9 million which raises the District's share of the allocable taxes from all tax rate areas in the District from approximately 12% to 14%;

ii) In Fiscal Year 2013/2014 and each Fiscal Year thereafter, an amount, not to exceed 16 or 17% of the allocable taxes from all the tax rate areas in the District, equal to \$5.9 million plus the sum of 20 or 25% of the property tax increments allocable to the General Fund each year beginning Fiscal Year 2013/2014;

iii) The District's share of property taxes shall remain at 16 or 17% in years subsequent to the first year in which the amount equals 16 or 17% of the allocable taxes from all the tax rate areas in the District; and

iv) The sharing of property taxes, including but not limited to the contribution of property taxes as well as the receipt of property taxes in the form of pass-through payments, residual distributions from Redevelopment Property Tax Trust Funds and distributions of other moneys, as required by the Redevelopment Dissolution Act, Part 1.85 of Division 24 of the CA Health & Safety Code, commencing with Section 34170, shall be as follows:

- 1) For Fiscal Years up to and including the first year in which the District's share of property taxes reaches 16 or 17%, the District's basis for sharing property taxes will not include those additional property taxes received under this Resolution; and
- 2) In years subsequent to the first year in which the amount equals 16 or 17% of the allocable taxes from all the tax rate areas in the District, the District's basis for sharing property taxes will include those additional property taxes received under this Resolution;
- f) Approve and authorize the Chair to execute one of the Agreements to match the Resolution selected, decreasing the Gann appropriations limit for the County and increasing the Gann appropriations limit for the District;

Acting as the Board of Directors, Santa Barbara County Fire Protection District:

- g) Accept the property tax transfer as adopted by the Santa Barbara County Board of Supervisors Resolution referenced above; and
- h) Approve and authorize the Chair to execute one of the Agreements to match the Resolution selected, decreasing the Gann appropriations limit for the County and increasing the Gann appropriations limit for the District.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

**Adjourn to**

**May 8, 2012**

**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, May 1, 2012 will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, May 3, 2012, at 5:00 PM and on Saturday, May 1, 2012, at 10:00 AM on CSBTV Channel 20.*

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

