



# County of Santa Barbara

105 Anapamu Street, Santa  
Barbara

## Agenda

### 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*

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Tuesday, June 4, 2013

9:00 AM

COUNTY ADMINISTRATION BUILDING  
BOARD HEARING ROOM, FOURTH  
FLOOR  
105 EAST ANAPAMU STREET, SANTA  
BARBARA

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**Board Meeting Procedures**

**Late Distribution**

**Disability Access**

**Closed Session**

**9:00 A.M. .... Convened to Regular Session****Roll Call****Pledge of Allegiance****Approval of Minutes of the May 21, 2013 Meeting****12:00 P.M. .... Recess to Closed Session****Report from Closed Session**[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)

[13-00418](#)

Adopt a Resolution of Commendation honoring Diane Carter of the Clerk, Recorder, Assessor and Registrar of Voters' Office as the June 2013 Santa Barbara County Employee of the Month.

A-2)

[13-00419](#)

Adopt a Resolution of Commendation honoring Teresa Eggemeyer upon her retirement from the Office of County Counsel after over twenty three years of faithful and distinguished service to the County of Santa Barbara.

A-3)

[13-00420](#)

Adopt a Resolution of Commendation honoring Michael R. Ledbetter upon his retirement from the Office of County Counsel after over thirty years of dedicated public service to the County of Santa Barbara.

A-4)

[13-00397](#)

Adopt a Resolution of Commendation honoring Information Technology Manager Randall Kempf upon his retirement from the Sheriff's Department after over twenty five years of faithful and distinguished service to the citizens of Santa Barbara County.

A-5)

[13-00427](#)

Adopt a Resolution recognizing the Santa Barbara County Lifeguards for demonstrating exceptional community service and emergency response in Santa Barbara County.

A-6)

[13-00449](#)

Adopt a Resolution of Commendation for Dr. Charity Thoman for receiving the Gerald E. Bruce Community Service Award.

A-7)

[13-00451](#)

Adopt a Resolution commemorating the 35th anniversary of Proposition 13.

### **Honorary Resolutions**

A-8)

[13-00417](#)

Adopt a Resolution honoring the Santa Barbara/Puerto Vallarta Sister City Program upon its 40th Anniversary.

A-9)

[13-00453](#)

Adopt a Resolution of Commendation honoring Marsha Bailey upon receiving the 2013 Santa Barbara Woman of Achievement Award.

A-10)

[13-00454](#)

Adopt a Resolution of Commendation honoring Kathleen Sharp upon receiving the 2013 Santa Barbara Woman of Achievement Award.

A-11)

[13-00421](#)

Adopt a Resolution of Commendation honoring Debby Aceves for her services on the County Human Services Commission having represented the Second District for over five years.

A-12)

[13-00413](#)

Adopt a Resolution of Commendation honoring Ruth Jensen upon her retirement from the Human Services Commission after over six years representing the Fourth District.

A-13)

[13-00423](#)

Adopt a Resolution celebrating the 60th anniversary of New Hope Christian Church.

### **Administrative Items**

A-14)

[13-00439](#)

Consider recommendations regarding Sanctuary Psychiatric Centers Fiscal Year 2012/2013 Amendment, as follows:

- a) Approve and authorize the Chair to execute an Amendment to the Fiscal Year 2012/2013 Agreement with Sanctuary Psychiatric Centers, Inc. (a local vendor) to increase the Contract by \$15,000.00 for a new maximum amount not to exceed \$143,190.00 through June 30, 2013; and
- b) Determine under CEQA Guidelines Section 15061(b)(3) that this activity is exempt from review on the basis that it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

A-15)

[13-00376](#)

Acting as the Board of Supervisors, Board of Directors, Fire Protection District, and Board of Directors, Flood Control and Water Conservation Districts:

Consider recommendations regarding Proposition 4/111 Appropriations Limit, as follows:

a) Consider the adoption of the following seven (7) Resolutions:

i) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2013/2014 for the County of Santa Barbara;

ii) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2013/2014 for Santa Barbara County Service Area No. 3;

iii) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2013/2014 for Santa Barbara County Service Area No. 4;

iv) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2013/2014 for Santa Barbara County Service Area No. 5;

v) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2013/2014 for the Santa Barbara County Fire Protection District;

vi) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2013/2014 for the Santa Barbara North County Lighting District; and

vii) Adopt a Resolution establishing an appropriation limit for Fiscal Year 2013/2014 for the Santa Barbara County Flood Control and Water Conservation Districts; and

b) Select the change in the California Per Capita Personal Income as the price factor in determining the Fiscal Year 2013/2014 limit for Santa Barbara County, and the California Per Capita Personal Income for special districts, and ratify selections by recorded vote; and

c) Select the change in population within Santa Barbara County and all contiguous counties as the population factor in determining the Fiscal Year 2013/2014 limit for Santa Barbara County, and the change in population within Santa Barbara County for the special districts and ratify selections by recorded vote.

A-16)

[13-00425](#)

Consider recommendations regarding the execution of a subordination Agreement with Rabobank, N.A., concerning Paradise Ivy, LLC's development of six affordable housing units at 909 Embarcadero del Mar in Isla Vista, Third District, as follows:

- a) Approve and authorize the Chair to execute a Subordination Agreement between the County and Rabobank, N.A., that subordinates the County's existing loan to Paradise Ivy, LLC in the amount of \$717,000.00 to Rabobank's new permanent financing loan to Paradise Ivy, LLC, in the amount of \$5,500,000.00; and
- b) After considering the previously certified Environmental Impact Report (EIR) for the Isla Vista Master Plan (03-EIR-08), determine pursuant to Public Resources Code sections 21090(b) and 21166 and CEQA Guidelines section 15162 that no subsequent EIR or Negative Declaration shall be prepared for this project.

A-17)

[13-00447](#)

Consider recommendations regarding approval of Amendments to the Human Services Commission Bylaws, as follows:

- a) Approve the Amendments to the County of Santa Barbara Human Services Commission Bylaws; and
- b) Determine that the Board's approval of the Amendments to the Bylaws does not constitute a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5) as the action involves administrative activities of governments which will not result in a direct or indirect physical change in the environment, and direct staff to file the CEQA Notice of Exemption.

A-18)

[13-00433](#)

Consider recommendations regarding a Contract with outside counsel for state water project issues, 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 Downey Brand Attorneys, LLC, in the amount of \$50,000.00; and
- b) Find that the proposed Contract 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-19)

[13-00457](#)

Consider and approve an Amendment to the 2013 Board of Supervisors' schedule of meeting dates and locations to add a regular meeting on Tuesday, June 25, 2013 in Santa Barbara.

A-20)

[13-00415](#)

Consider recommendations regarding an update on revisions to the State of California's Fiscal Year 2013/2014 Budget, as follows:

- a) Receive and file a report on potential county budget impacts as a result of the Governor's May revision to the State's Budget, and
- b) Provide direction to staff for follow up.

A-21)

[13-00416](#)

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

A-22)

[13-00422](#)

Consider recommendations regarding support for AB 154 (Atkins) - Expanded Scope of Practice, as follows:

- a) Consider taking a position of support on Assembly Bill (AB) 154 (as amended); and
- b) Direct staff to forward a letter of support to members of the legislature including, but not limited to, the county legislative delegation, appropriate committee chairs and the Governor.

A-23)

[13-00440](#)

Consider recommendations regarding the renewal of Onsite Employee Health Clinic Program, as follows:

- a) Approve and authorize the Chair to execute a Contract, not to exceed \$868,000.00 per contract year, between the County of Santa Barbara and HealthStat, Inc., to continue the operation of two onsite employee health clinics; and
- b) Determine under CEQA Guidelines Section 15061(b)(3) that this activity is exempt from review on the basis that it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

A-24)

[13-00446](#)

Consider recommendations regarding the Santa Barbara Museum of Art Second Amendment to Lease Agreement and Request for Approval to Initiate Improvements to Museum Property at 1130 State Street, Santa Barbara, ORES 001066, First District, as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute the Second Amendment to a Lease Agreement between the County of Santa Barbara and the Santa Barbara Museum of Art for the County-owned Art Museum located at 1130 State Street, in Santa Barbara, APN 039-230-020, to amend the insurance and indemnification provisions, the annual reporting requirements, and the Museum's admission charges;
- b) Approve the Santa Barbara Museum of Art's request to initiate the application process for a phased plan for renovations and additions to the Museum by authorizing the Chair to execute the Letter of Authorization, allowing the Museum to proceed in accordance with the Lease Agreement for the property and the County Facility Policy Framework; and
- c) Determine that the proposed actions by the Board are exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301 and approve and direct staff to file and post a Notice of Exemption on that basis.

A-25)

[13-00443](#)

Consider recommendations regarding Slippery Rock Ranch, LLC Agricultural Preserve Contract, Goleta area, Second District, as follows:

- a) Approve and authorize the Chair to execute an Agricultural Preserve Replacement Contract 12AGP-00000-00003, consisting of five parcels: 153-170-074, (9.68-acres), 153-170-077 (38.13-acres), 153-170-081 (20.20-acres), 153-170-093 (119.86-acres), and 153-170-095 (165.94-acres) for a total of 353.81-acres, located at 1735 North Patera Lane, in the Goleta area;
- b) Execute the Contract creating Agricultural Preserve, 12AGP-00000-00003;
- c) Authorize recordation by the Clerk of the Board; and
- d) Determine that this action does not constitute a project but instead consists of organizational or administrative activities that do not have the potential to result in either a direct or indirect physical change in the environment or a reasonably foreseeable indirect physical change in the environment pursuant to CEQA Guideline Section 15378(b)(5).



A-26)

[13-00438](#)

Consider recommendations regarding the First Amendment to Professional Services Agreement with Unilab Corporation dba Quest Diagnostics, as follows:

- a) Approve and authorize the Chair to execute the First Amendment to the Professional Services Agreement with Unilab Corporation dba Quest Diagnostics to provide reference clinical laboratory professional services countywide for the period of July 1, 2012 through June 30, 2014 in an amount not to exceed \$400,000.00; and
- b) Determine that these activities are exempt from California Environmental Quality Act review per CEQA Guideline Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activities may have a significant effect on the environment.

A-27)

[13-00450](#)

Consider recommendations regarding a First Amendment to Professional Services Agreement with Lawrence J. Bines, M.D., P.C., as follows:

- a) Approve and authorize the Chair to execute the First Amendment to the Professional Services Agreement with Lawrence J. Bines, M.D., P.C. (a local vendor) to provide obstetrical and gynecological services in the Santa Barbara, Franklin, Carpinteria and Lompoc Public Health Clinics for the period July 1, 2013 through June 30, 2015 in an amount not to exceed \$2,008,156.00 (\$1,004,078.00 for Fiscal Year 2013/2014 and \$1,004,078.00 for Fiscal Year 2014/2015); and
- b) Determine that these activities are exempt from California Environmental Quality Act review per CEQA Guideline Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activities may have a significant effect on the environment.

A-28)

[13-00456](#)

Consider recommendations regarding a County Service Area (CSA) No. 12 (Mission Canyon Sewer District) Resolution relative to Septic Management Administration Charges on the Tax Roll, First District, as follows:

- a) Receive a report entitled, "County of Santa Barbara Public Works Department Fixed Charges/Assessments," for Mission Canyon Septic System Management for Fiscal Year 2013/2014;
- b) Determine that the proposed action is for the establishment of rates for services provided by Public Health Department Environmental Health Services; that no expansion of services or facilities will result, and that the revenues will be used for field surveys of the Mission Canyon Septic Maintenance district area, offering financial incentives for homeowners to provide routine maintenance of their systems, and educational programs;
- c) Determine that the action is exempt from CEQA pursuant to 14 CCR 15273 and approve and direct staff to file a Notice of Exemption on that basis; and
- d) Set a hearing on the Departmental Agenda for June 18, 2013, in connection with the report entitled, "County of Santa Barbara Public Works Department Fixed Charges/Assessments," for Mission Canyon Septic System Management for Fiscal Year 2013/2014, filed with the Clerk of the Board on June 4, 2013, which proposes the septic system management charges, with no change proposed this year, for CSA No. 12 (Mission Canyon Sewer District) to consider recommendation as follows;  
(Set hearing for 6/18/13. Time estimate 5 minutes)
- i) Adopt a Resolution establishing the septic system management charges for CSA No. 12 (Mission Canyon Sewer District) and provide for collection on the Tax Rolls for Fiscal Year 2013/2014.

A-29)

[13-00430](#)

Consider recommendations regarding construction of Fiscal Year 2012/2013 North County Repair Failed Areas, County Project No. 820637, First, Third, Fourth and Fifth Districts, as follows:

- a) Approve plans and specifications for construction of Fiscal Year 2012/2013 North County Repair Failed Areas, County Project No. 820637;
- b) Award the construction Contract in the amount of \$420,217.00 to the lowest responsible bidder, Granite Construction Company (a Local Vendor), P.O. Box 6744, Santa Barbara, CA 93160 subject to the provision of documents and certifications, as set forth in the plans and specifications applicable to the project, as required under California Law;
- c) Approve and authorize the Chair to execute the construction Contract, 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;
- d) Approve a contingency fund in the amount of \$33,510.85 for construction of Fiscal Year 2012/2013 North County Repair Failed Areas, County Project No. 820637; and
- e) Find that the proposed action is for the repair and maintenance of an existing public facility involving negligible or no expansion of use beyond that which presently exists, that the proposed action is therefore exempt from CEQA pursuant to 14 CCR 15301, and approve the filing of a Notice of Exemption on that basis.

A-30)

[13-00431](#)

Consider recommendations regarding construction of Summerland Circulation Improvement Project - Phase 2B, Federal Project Number RPSTPL-5951(137), County Project No. 862308, First District, as follows:

- a) Approve and authorize the Chair to execute the Statement of Final Quantities for the Summerland Circulation Improvement Project Phase 2B in the First District for work performed and materials supplied by West Coast Public Works, Inc., 20058 Ventura Blvd, No. 318, Woodland Hills, CA, 91364 in the amount of \$963,347.36; and
- b) Determine that the proposed action is not subject to CEQA pursuant to State CEQA Guidelines Section 151378(b)(5), as it is an administrative action that will not result in direct or indirect changes to the environment.

A-31)

[13-00441](#)

Consider recommendations regarding a master Agreement between the County of Santa Barbara and the Cachuma Operation and Maintenance Board for maintenance of roadway and culvert improvements for Quiota Creek Crossings at Refugio Road, Third District, as follows:

- a) Approve and authorize the Chair to execute the master Agreement between the County of Santa Barbara and the Cachuma Operation and Maintenance Board for maintenance of roadway and culvert improvements for Quiota Creek Crossings at Refugio Road; and
- b) Approve the filing of a Notice of Exemption, pursuant to California Environmental Quality Act (CEQA) guidelines, Section 15378, pertaining to actions that are not considered a “project” by definition.

A-32)

[13-00414](#)

Consider recommendations regarding approval of an Agreement with Arbor Education and Training, LLC dba ResCare Workforce Services for California Work Opportunity and Responsibility to Kids (CalWORKs) Welfare-to-Work (WTW) Program Employment Services, as follows:

- a) Approve and authorize the Chair to execute an Agreement with Arbor Education and Training, LLC dba ResCare Workforce Services (ResCare), not a local vendor, to provide CalWORKs WTW Program Employment Services, for the period of July 1, 2013 through June 30, 2016, in an amount not to exceed \$3,703,630.00 (\$1,200,000.00 for Fiscal Year 2013/2014; \$1,234,199.00 for Fiscal Year 2014/2015; and \$1,269,431.00 for Fiscal Year 2015/2016); and
- b) Determine under CEQA Guidelines Section 15061(b)(3) that this activity is exempt from review on the basis that it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

A-33)

[13-00426](#)

Consider recommendations regarding an Agreement with Bit California LLC dba Document Fulfillment Services to provide CalWORK's Information Network System Printing and Mailing Services, as follows:

- a) Approve and authorize the Chair to execute an Agreement with BIT CA dba Document Fulfillment Services (DFS), not a local vendor, for the purpose of printing and mailing client correspondence from the CalWORKS's Information Network (CalWIN) System for the period of July 1, 2013 through June 30, 2016 at a cost not to exceed \$780,000.00 (\$260,000.00 per fiscal year); and
- b) Determine under CEQA Guidelines Section 15061(b) (3) that this activity is exempt from review on the basis that it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

A-34)

[13-00429](#)

Consider recommendations regarding Child Welfare Services Differential Response/Front Porch Program, as follows:

- a) Approve and authorize the Chair to execute an Agreement with Community Action Commission (CAC) in an amount not to exceed \$116,000.00 to provide direct early intervention and prevention service delivery to the target population and/or provide clients with referrals to appropriate local community based organizations to meet the requisite need of clients in the Santa Maria and Lompoc areas for the period July 1, 2013 through June 30, 2014;
- b) Approve and authorize the Chair to execute an Agreement with Child Abuse Listening and Mediation (CALM) in an amount not to exceed \$130,000.00 to provide direct early intervention and prevention service delivery to the target population and/or to provide clients with referrals to appropriate local community based organizations to meet the requisite need of clients in the Santa Barbara, Santa Maria and Lompoc areas for the period July 1, 2013 through June 30, 2014; and
- c) Determine under CEQA Guidelines Section 15061 (b) (3) that this activity is exempt from review on the basis that it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

A-35)

[13-00435](#)

Consider recommendations regarding the approval of an Agreement with Child Abuse Listening Mediation, Inc. and Santa Maria Valley Youth and Family Center for Targeted Community-Based Child Abuse and Neglect Prevention Services, as follows;

- a) Approve and authorize the Chair to execute an Agreement with Child Abuse Listening Mediation, Inc. (CALM), a local vendor, to provide targeted community-based child abuse and neglect prevention services for the period of July 1, 2013 through June 30, 2014, in an amount not to exceed \$233,000.00;
- b) Approve and authorize the Chair to execute an Agreement with Santa Maria Valley Youth and Family Center (SMVYFC), a local vendor, to provide targeted community-based child abuse and neglect prevention services for the period of July 1, 2013 through June 30, 2014, in an amount not to exceed \$147,000.00;
- c) Approve funding recommendation in the amount of \$112,749.00 (31%) from the Children's Trust Fund, which include the following:
  - i) \$52,053.00 to CALM as partial funding source for the Agreement recommended in (a) above.
  - ii) \$60,969.00 to SMVYFC as partial funding source for the Agreement recommended in (b) above; and
- d) Determine under CEQA Guidelines Section 15061(b)(3) that this activity is exempt from review on the basis that it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

A-36)

[13-00436](#)

Consider recommendations regarding Amendment No. 2 with Community Action Commission for Enhanced Family Reunification Support Services, as follows:

a) Approve and authorize the Chair to execute Amendment No. 2 to extend the Agreement with Community Action Commission (CAC) for the purpose of Enhanced Family Reunification for the period of July 1, 2013 through June 30, 2014 and for an amount not to exceed \$270,000.00; and

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

### **Board of Supervisors**

A-37)

[13-00437](#)

Adopt a Resolution of Support for increased funding for local coastal planning.

A-38)

[13-00412](#)

Approve the reappointment of Cliff T. Dugger to the Air Pollution Control District, term ending June 4, 2016, Fourth District.

A-39)

[13-00452](#)

Approve the appointment of Robert Acquistapace to the Agricultural Advisory Board as an alternate member, open term, Fourth District.

**Hearing Requests**

A-40)

[13-00445](#)

Set hearing to consider recommendations regarding ADMHS Published Charges, as follows:  
(Set hearing for 6/18/13. Time estimate: 20 minutes)

- a) Consider the introduction (First Reading) of an Ordinance adjusting the Santa Barbara County Published Charges for Psychiatric Health Facility and outpatient mental health services effective 30 days after adoption by the Board of Supervisors;
- b) Determine under CEQA Guidelines Section 15061(b)(3) that this activity is exempt from review on the basis that it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment; and
- c) Set hearing on the Administrative Agenda of July 2, 2013 to consider the adoption (Second Reading) of an Ordinance adjusting the Santa Barbara County Published Charges for Psychiatric Health Facility and outpatient mental health services effective 30 days after adoption by the Board of Supervisors.

A-41)

[13-00428](#)

Set hearing on the Departmental Agenda to consider recommendations for adopting an Ordinance amending Chapter 24A, Administrative Fine Ordinance, of the County Code, as follows: (Set hearing for 6/18/13. Time estimate: 10 minutes.)

- a) Consider the introduction (first reading) of an Ordinance amending Chapter 24A, Administrative Fines, to conform the County Code to previous Board actions and make other minor changes incorporating Government Code Section 25132;
- b) Read the title and waive further reading of the Ordinance; and
- c) Set a hearing on the Administrative Agenda for July 2, 2013, to consider recommendations, as follows:
  - i) Consider the adoption (second reading) of an Ordinance amending Chapter 24A, Administrative Fines, of the Santa Barbara County Code, to be effective 30 days from date of adoption; and
  - ii) Find that that there is no possibility that the activity in question may have a significant effect on the environment, and that pursuant to 14 CCR 15061(b)(3), the proposed action is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

A-42)

[13-00434](#)

Set hearing to consider recommendations regarding speed limits on various roads, First, Third, and Fifth Districts, as follows: (Set hearing for 6/18/13. Time estimate: 15 minutes)

a) Consider the introduction (first reading) of an Ordinance amending Santa Barbara County Code, Chapter 23, Sections 23-15.2, 23-15.4, 23-15.5, 23-15.6, 23-15.7, and 23-15.8, pertaining to speed limits on Eucalyptus Lane in the Montecito area, Alamo Pintado Road, Calzada Avenue and Grand Avenue in the Santa Ynez/Los Olivos area, Main Street in the Los Alamos area, and Betteravia Road in the Santa Maria area;

b) Set a hearing for July 2, 2013 on the Administrative Agenda to consider recommendations, as follows:

i) Consider the adoption (second reading) of an Ordinance, amending Santa Barbara County Code, Chapter 23 Sections 23-15.2, 23-15.4, 23-15.5, 23-15.6, 23-15.7, and 23-15.8, pertaining to speed limits on the subject roads described herein, First, Third and Fifth Districts;

ii) 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

iii) Approve the filing of a Notice of Exemption on that basis.

A-43)

[13-00432](#)

Set hearing on the Administrative Agenda of July 2, 2013 to consider recommendations regarding a proposed vacation of portions of Railway Avenue, Santa Barbara Avenue and an Unnamed Alley, Los Olivos, Third District, as follows:

a) Approve and authorize the Chair to execute the Resolution, Order to Vacate Portions of Railway Avenue, Santa Barbara Avenue and an Unnamed Alley in Los Olivos, including specified exceptions and reservations, pursuant to the Public Streets, Highways, and Service Easements Vacation Law, Street and Highway Code Sections 8300-8363;

b) Direct the removal of the vacated portion of Railway Avenue in Los Olivos from the County's maintained road system; and

c) Find that pursuant to State CEQA Guidelines Section 15162, no substantial changes are proposed, and no new information of substantial importance has become known regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, that the proposed action was analyzed in the previously-certified Environmental Impact Report (12EIR-00000-00001), certified by the County Planning Commission on January 30, 2013, and that therefore no new environmental document is required.



**ADDENDUM**

**Item A-44) is added to the Administrative Agenda, as follows:**

**Administrative Item**

A-44)

[13-00448](#)

Consider recommendations regarding an Agreement for professional legal services with outside counsel (McCarthy & Kroes, Attorneys at Law) for pending and potential litigation, as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute an Agreement for professional legal services between the County of Santa Barbara and the law firm of McCarthy & Kroes, in an amount not to exceed \$75,000.00; and
- b) Find that the proposed Contract 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.

**Approval of Administrative Agenda**

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

1)

[12-00872](#)

HEARING - Consider recommendations regarding Orcutt Community Plan Key Site 22 Wetlands Delineation Removal Amendment, 13GPA-00000-00003, Fourth District, as follows: (EST. TIME: 15 MIN.)

a) Make the required findings, including CEQA findings for adoption of the Orcutt Community Plan (OCP) Key Site 22 Wetlands Delineation Removal Amendment;

b) After considering the Addendum of May 22, 2013 and the previously certified Final Supplemental Environmental Impact Report (EIR) for the Orcutt Community Plan 2012 Amendments (09EIR-00000-00004) including the Revision document (RV-1), determine pursuant to 14 CCR section 15162 that no subsequent EIR is required for this project because of the following: 1) No substantial changes are proposed in the project which require major revisions to the previously certified EIR due to new significant environmental effects; 2) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which require major revisions to the EIR; and 3) No 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 the EIR was certified on December 11, 2012, has been received.

c) Adopt a Resolution approving specific text and map amendments to the Land Use Element of the Santa Barbara County Comprehensive Plan by adoption of the OCP Key Site 22 Wetlands Delineation Removal Amendment; and

d) Strike that portion of the appendices to the OCP EIR (95-EIR-1) titled, "Vernal Wetlands and Orcutt Creek Wetland Delineation," prepared by Katherine Rindlaub Biological Consulting and bearing the date of September 1, 1995 and any conclusions based in whole or in part on said delineation, in compliance with a court order issued in Adam Bros. Farming Inc. v. County of Santa Barbara (Super. Ct. Santa Barbara County, 2004, No. 1007452).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

2)

[13-00386](#)

HEARING - Consider the recommendations of the County and Montecito Planning Commissions to approve Case Nos. 13ORD-00000-00002, 13ORD-00000-00003 and 13ORD-00000-00004 which would amend, respectively, the County Land Use and Development Code, the Montecito Land Use and Development Code, and the Article II Coastal Zoning Ordinance, all of Chapter 35, Zoning, of the Santa Barbara County Code, to revise the existing language of the Home Occupations sections of the Zoning Ordinances to:

I) Implement the requirements of State law AB1616 (Cottage Food Operations) by revising the Home Occupations sections of the Zoning Ordinances to establish permitting processes and development standards that would allow cottage food operations within dwelling units; and II) Specifically allow in-home retail sales (aka “Tupperware parties”) and include standards for determining when such sales are exempt from planning permits, as follows: (EST. TIME: 30 MIN.)

a) Consider recommendations regarding Case No. 13ORD-00000-00002 (County LUDC Amendment), as follows:

i) Make the findings for approval, including CEQA findings, of the proposed Ordinance;

ii) Determine that the adoption of this Ordinance is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for Implementation of CEQA inc; and

iii) Approve Case No. 13ORD-00000-00002, an Ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code;

b) Consider recommendations regarding Case No. 13ORD-00000-00003 (Montecito LUDC Amendment), as follows:

i) Make the findings for approval, including CEQA findings, of the proposed Ordinance;

ii) Determine that the adoption of this Ordinance is exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for Implementation of CEQA; and

iii) Approve Case No. 13ORD-00000-00003, an Ordinance amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code; and

c) Consider recommendations regarding Case No. 13ORD-00000-00004 (Article II CZO Amendment), as follows:

i) Make the findings for approval, including CEQA findings, of the proposed Ordinance;

ii) Determine that the adoption of this Ordinance is exempt from the California Environmental Quality Act pursuant to Sections 15061(b)(3) and 15265 of the Guidelines for Implementation of CEQA; and

iii) Approve Case No. 13ORD-00000-00004, an Ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the Santa Barbara County Code.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

3)

[13-00405](#)

HEARING - Consider recommendations regarding Fiscal Year 2012/2013 Annual Action Plan Substantial Amendment for the use of Federal Funds under the Home Investment Partnerships (HOME) Program, as follows: (EST. TIME: 30 MIN.)

a) Receive and file a staff report on the Santa Barbara County HOME Consortium and the Fiscal Year 2012/2013 Annual Action Plan Substantial Amendment and the HOME funding recommendations contained therein;

b) Consider written comments received during the thirty (30) day public comment period, which commenced on April 12, 2013, and concluded on May 13, 2013, and oral comments received during the Board's June 4, 2013 Public Hearing;

c) Direct staff to finalize the Fiscal Year 2012/2013 Annual Action Plan Substantial Amendment and return to the Board on June 18, 2013 for consideration of approval for final submission of the Annual Action Plan Substantial Amendment to the U.S. Department of Housing and Urban Development (HUD); and

d) Set hearing on the Administrative Agenda of June 18, 2013, to consider recommendations, as follows:

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

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

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

iv) Determine that the approval of the Annual Action Plan Substantial Amendment 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 actions are not a project as they 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 impact on the environment, and direct staff to file a Notice of Exemption.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

4)

[13-00390](#)

HEARING - Consider recommendations regarding the appeal filed by Richard Monk on behalf of TTT Winery, Case No. 13APL-00000-00009, of the County Planning Commission's denial of the TTT Tier III Winery Development Plan project, Case No. 09DVP-00000-00035, as follows: (EST. TIME: 1 HR.)

- a) Make the required findings to deny the project, including CEQA findings;
- b) Determine the project denial to be exempt from CEQA pursuant to Guideline Section 15270; and
- c) Deny the appeal, Case No. 13APL-00000-00009, thereby affirming the County Planning Commission's denial of Case No. 09DVP-00000-00035, as shown in the Planning Commission Action Letter, dated March 12, 2013.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

5)

[13-00424](#)

HEARING - Consider recommendations regarding assessing the Deferred Maintenance Backlog in Santa Barbara County: Cost and Timeline Estimates, as follows: (EST. TIME: 30 MIN.)

- a) Receive an file a report providing options, cost estimate and timelines for conducting a comprehensive Facility Condition Assessment which identifies the true value of our deferred maintenance backlog;
- b) Direct staff, based on Board identified parameters, to conduct a Facility Condition Assessment; and
- c) Determine pursuant to CEQA guidelines sections 15060(c)(3) and 15378(b)(4) that the above recommended actions are not a project subject to CEQA review because they are 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: POLICY

6)

[13-00442](#)

HEARING - Consider recommendations regarding the Department of Social Services' request to add 77 positions, as follows: (EST. TIME: 30 MIN.)

a) Approve the addition of 77 legal positions for the Department of Social Services needed to meet legal mandates and reduce recurrent audit findings that have placed the County in high risk status with the Single Audit;

b) Direct Staff to include these additional positions in the Fiscal Year 2013/2014 annual amendment of Resolution No. 09-223; and

c) Direct Staff to include the required budget adjustments for these positions, requiring no additional County General Funds, as final budget adjustments during the Fiscal Year 2013/2014 budget hearings.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

7)

[13-00409](#)

HEARING - Consider recommendations regarding proposed transitional Alcohol Drug and Mental Health Services' Organizational Structure and Fiscal Impacts, as follows: (EST. TIME: 20 MIN.)

a) Receive a report from staff regarding the proposed transitional organization structure of the Alcohol Drug and Mental Health Services Department; and

b) Direct staff to implement a structure as deemed appropriate by the Board of Supervisors.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

**Adjourn to****Monday, June 10, 2013****Fiscal Year 2013/2014 Budget Hearings****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, June 4, 2013 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, June 6, 2013, at 5:00 PM and on Saturday, June 8, 2013, at 10:00 AM on CSBTV Channel 20.*

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