

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



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

*Mona Miyasato, County Executive Officer*

**Agenda**

**Tuesday, September 9, 2014**

**9:00 AM**

**JOSEPH CENTENO BETTERAVIA GOVERNMENT  
ADMINISTRATION BUILDING, BOARD HEARING ROOM  
511 EAST LAKESIDE PARKWAY, SANTA MARIA**

The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: [www.countyofsb.org](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 September 2, 2014 Meeting****12:00 P.M. .... Recess to Closed Session****Report from Closed Session**[14-00009](#)

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) (14-00001)*

*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 LAVAGNINO**[14-00703](#)

Adopt a Resolution of Commendation and Appreciation of John Truman, Certified Psychiatric Rehabilitation Practitioner, for his 36 years of outstanding and dedicated service to the citizens of Santa Barbara County.

A-2) SUPERVISOR ADAM[14-00683](#)

Adopt a Resolution proclaiming September 2014 Childhood Cancer Awareness Month in Santa Barbara County.

**Administrative Items**A-3) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES[14-00711](#)

Consider recommendations regarding the Alcohol Drug and Mental Health Services Fiscal Year 2014-2015 Acute/IMD Amendment, Crestwood Behavioral Health Center, Inc., as follows:

a) Approve, ratify and authorize the Chair to execute an Amendment to the Agreement for Services of Independent Contractor with Crestwood Behavioral Health Center, Inc. (not a local vendor), an Institution for Mental Disease (IMD), to add IMD-alternative transitional residential rehabilitative Bridge Program services to the original Contract for IMD services, without increasing the total Contract amount, which is not to exceed \$1,000,000.00 per year, for a total Contract of \$3,000,000.00 through June 30, 2017; and

b) Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA guidelines.

A-4) PLANNING AND DEVELOPMENT[14-00704](#)

Consider recommendations regarding the Bolthouse Properties, LLC Notice of Nonrenewal of Agricultural Preserve Contract, Cuyama Area, First District, as follows;

a) Receive and file the Notice of Nonrenewal submitted by the landowner for the Land Conservation Contract (Agricultural Preserve) No. 76-AP-072, Case No. 14AGP-00000-00020; and

b) Find that the proposed action is an administrative activity of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a "project" as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

A-5) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [14-00707](#)

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

Consider recommendations regarding the Las Vegas/San Pedro Creeks Capacity Improvement Project, Second District, as follows:

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Agreement with HDR Engineering, Inc. (not a local vendor) for the second phase of engineering services for the Las Vegas/San Pedro Creeks Improvement Project increasing the Contract from an amount of \$582,555.00 to a new Contract amount of \$732,962.20, an increase of \$150,407.20, and extending the Contract period from December 31, 2014 to December 31, 2016;
- b) Authorize an increase in contingency in the amount of \$15,040.72 (10%) with HDR Engineering, Inc. for additional work that may be needed to complete work for the project; and
- c) Determine, pursuant to 14 CCR 15162, that a Mitigated Negative Declaration (MND) was adopted for the Las Vegas-San Pedro Creeks Capacity Improvement Project on October 4, 2011, an Addendum to the MND was approved on April 10, 2012, and an Addendum to the MND was approved on August 19, 2014, that no substantial changes are proposed in the project, no substantial changes have occurred with respect to the circumstances under which the project is undertaken, and no new information of substantial importance has been received with respect to the project or the mitigation measures, and therefore no new Environmental Impact Report (EIR) or Negative Declaration is required for the approval of the recommended actions.

A-6) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [14-00708](#)

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

Consider recommendations regarding a Secondary Use Agreement along Franklin Channel with the City of Carpinteria, First District, as follows:

- a) Approve and authorize the Chair to execute the Real Property Agreement, Secondary Use of Flood Control Owned Land with the City of Carpinteria, regarding a portion of Franklin Channel located on APN 003-243-032 and APN 003-242-036; and
- b) Find that the proposed action is an administrative activity of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a "project" as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

A-7) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [14-00709](#)

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

Consider recommendations regarding the Local Sponsor Cost Sharing Agreement, Lower Mission Creek Flood Control Project, Second District, as follows:

- a) Approve and authorize the Chair to execute the Local Sponsor Cost Sharing Agreement for the construction of Reach 1A-2 of the Lower Mission Creek Flood Control Project in an estimated amount of \$1,181,795.75 as a part of the Mason Street Bridge Replacement Project;
- b) Approve plans and specifications for the Lower Mission Creek Flood Control Project Reach 1A - Phase 2; and
- c) Find that pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15162, no substantial changes are proposed, there are no substantial changes in circumstances and no new information of substantial importance has come to light regarding environmental effects of the project or feasibility of mitigation measures and, therefore this action is within the scope of the project covered by the Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Lower Mission Creek Flood Control Project as well as the Findings, and Statement of Overriding Considerations approved and adopted by the Board on May 10, 2011, and therefore, no subsequent environmental document is required.

**Board of Supervisors**

A-8) SUPERVISOR LAVAGNINO [14-00706](#)

Approve the appointment of Ann Bartlett Eldridge to the Mental Health Commission, term ending September 9, 2018, Fifth District.

**Approval of Administrative Agenda**

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

1) SUPERVISOR LAVAGNINO [14-00710](#)

HEARING - Receive and file a presentation from the California Strawberry Commission.  
(EST. TIME: 15 MIN.)

2) COUNTY EXECUTIVE OFFICE [14-00714](#)

HEARING - Consider recommendations regarding the Recruitment Process for filling a vacancy on the Retirement Board of the Santa Barbara County Employees Retirement System, as follows: (EST. TIME: 15 MIN.)

a) Receive and file an update on the existing vacancy on the Retirement Board of the Santa Barbara County Employees Retirement System; and

b) Provide direction to staff regarding the appointment process.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

3) COUNTY EXECUTIVE OFFICE [14-00713](#)

HEARING - Consider recommendations regarding Cachuma Drought Update and Water Legislative Reports, as follows: (EST. TIME: 2 HRS.)

a) Receive and file a report from the United States Bureau of Reclamation (Reclamation) regarding fish releases from Cachuma Dam;

b) Receive and file a report from Governmental Advocates on State Legislative activity related to water issues; and

c) Determine that the proposed action is not subject to California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378(b) (5), as it is an administrative action that will not result in direct or indirect changes to the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

4) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY[14-00712](#)

HEARING - Consider recommendations regarding completion of Cuyama Groundwater Basin Study, First District, as follows: (EST. TIME: 1 HR.)

Acting as the Board of Directors, Water Agency:

- a) Receive and file the Cuyama Valley Water Availability Study, a hydrologic study consisting of the summary fact sheet, final report, and three technical reports funded and completed by the Santa Barbara County Water Agency (SBCWA) and United States Geological Survey (USGS) and authorize distribution of the study for County and public information; and
- b) Find that the Cuyama Water Availability Study is exempt under California Environmental Quality Act (CEQA) guidelines, Section 15262; Feasibility and Planning Studies and Section 15306 (Class 6) Basic data collection, research, experimental management, and resource evaluation activities.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

5) PLANNING AND DEVELOPMENT[14-00664](#)

HEARING - Consider recommendations regarding the Cuyama Solar Facility Project, APNs 149-150-029, 149-150, 030, 149-150-031, 149-150-032, 149-140-076, 149-150-039, 149-140-041, 149-330-001, and 149-010-049, located south and southeast of the town of Cuyama, First District, as follows: (EST. TIME: 2 HRS.)

- a) Certify the Environmental Impact Report (11EIR-00000-00005), including the revisions to the EIR specified in the July 21, 2014 Planning Commission memorandum;
- b) Adopt a Resolution and execute the Certificate of Tentative Cancellation of Land Conservation Contract 76-AP-072 (10AGP-00000-00002); and
- c) Set a hearing for October 7, 2014 on the Departmental Agenda to consider recommendations, as follows:  
(Set hearing for 10/7/14. Time estimate: 1 hour)
- i) Make the required findings for approval of the project, including California Environmental Quality Act (CEQA) findings;



ii) Adopt a Resolution amending: a) the County's Comprehensive Plan Land Use Element (13GPA-00000-00002), allowing utility-scale solar photovoltaic facilities on up to 600 acres within the Cuyama Valley Rural Region on lands designated Agriculture II (A-II) or Agricultural Commercial (AC) and zoned Agriculture II (AG-II), with a Utility-Scale Solar Photovoltaic Facility Overlay, b) the County's Comprehensive Plan Land Use Element, Cuyama Valley Rural Region, Land Use Designation Map (13GPA-00000-00001), by changing the Land Use Designation on specified portions of APN 149-140-076 from Agricultural Commercial (AC) to Agriculture II (A-II); and c) the Santa Barbara County Land Use Element Map Comp-9 by applying the Utility-Scale Solar Photovoltaic Facility Overlay to the 327-acre Project site;

iii) Adopt an Ordinance amending the County's Land Use Development Code: a) allowing utility-scale solar photovoltaic facilities on up to 600 acres within the Cuyama Valley Rural Region on lands zoned Agriculture II (AG-II), subject to discretionary approval of a Conditional Use Permit (10ORD-00000-00001); and b), rezoning four parcels (APNs 149-150-029, -030, -031 and -032) from Unlimited Agriculture (under Ordinance No. 661) to Agriculture II (AG-II-40) (10RZN-00000-00001);

iv) Adopt a Resolution and execute a final Certificate of Cancellation for Agricultural Preserve Contract (Land Conservation Contract) No. 76-AP-072 (10AGP-00000-00002);

v) Approve a Lot Line Adjustment (10LLA-00000-00004) to adjust lines between three lots of 413.9 (APN 149-140-076), 39.71 (APN 149-150-029), and 39.80 (APN 149-150-030) gross acres to reconfigure into three lots of 247.07, 166.83, and 79.52 gross acres, respectively, on property located in the AG-II (and Unlimited Agricultural) Zone District, subject to the conditions;

vi) Adopt a Resolution and execute a replacement Agricultural Preserve Contract (Land Conservation Contract) on the remaining 1,362 acres of 76-AP-072 (13AGP-00000-00024); and

vii) Approve the Conditional Use Permit (10CUP-00000-00008) subject to the conditions. The mitigation monitoring program identified in the project EIR is included in these conditions.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

**Adjourn to****Tuesday, September 16, 2014****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, September 9, 2014 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, September 11, 2014, at 5:00 PM and on Saturday, September 13, 2014, at 10:00 AM on CSBTV Channel 20.*

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