

County of Santa Barbara
BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Agenda

Tuesday, November 10, 2015

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

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 of Supervisors' Conference 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

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 and Ex-Parte Communication

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>. Any written ex-parte communication subject to disclosure by members of the Board of Supervisors may be published online as an attachment to the corresponding item.

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 November 3, 2015 Meeting****12:00 P.M. Recess to Closed Session****Report from Closed Session**[15-00009](#)

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) (15-00001)

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

County Executive Officer's Report**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 ADAM**[15-00881](#)

Adopt a Resolution of Commendation honoring Kaelanne Quinonez for "Preserving a Legacy" through Girl Scouts.

Honorary Resolutions**A-2) SUPERVISOR WOLF [15-00882](#)**

Adopt a Resolution of Commendation honoring Judge Thomas P. Anderle as the recipient of the inaugural Thomas P. Anderle Award for Judicial Excellence.

Administrative Items**A-3) COMMUNITY SERVICES [15-00887](#)**

Consider recommendations regarding the resale of 217 Rice Ranch Road, Fourth District, as follows: (4/5 Vote Required)

- a) Adopt a Resolution declaring the County's intention to sell the County-owned property located at 217 Rice Ranch Road, located in the Orcutt Bluffs Development in Santa Maria, California (Assessor Parcel Number 103-630-008), pursuant to the terms and conditions set forth in the Resolution;
- b) Authorize the Director of the County of Santa Barbara General Services Department (GSD), or designee, to perform residential real estate services by arranging for marketing the residential property at 217 Rice Ranch Road, obtaining offers to purchase, opening escrow, drafting the grant deed and, at the Director's option, to contract with a licensed real estate broker to market the property and assist in obtaining a qualified buyer;
- c) Authorize the Director of the County Community Services Department (CSD Director) or designee to qualify and certify the eligibility of applicants pursuant to the qualifying criteria referenced in the Resolution;
- d) Authorize the CSD Director, or designee, to accept an offer to purchase the property under the conditions described in the Resolution subject to the Board of Supervisor's final approval;
- e) Direct staff to return to the Board, at a date no earlier than three (3) weeks from today's date, to consider the offer accepted by the CSD Director and obtain final approval by Resolution authorizing and directing the execution of the deed and other required documents, including a Resale Restrictive Covenant, a Preemptive Right Secured by Deed of Trust, a Notice of Ordinance, and a Request for Notice of Default; and
- f) Determine that the recommended actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that these actions will have a significant effect on the environment, and direct staff to file the Notice of Exemption.

A-4) COMMUNITY SERVICES[15-00889](#)

Consider recommendations regarding a Sub-recipient Agreement with the Housing Authority of Santa Barbara County to administer a HOME funded Tenant Based Rental Assistance (TBRA) program, as follows:

- a) Approve and authorize the Chair to execute the Subrecipient Agreement in the amount of \$237,315.00 between the County and the Housing Authority of Santa Barbara County (Housing Authority) to administer a TBRA program funded through the County HOME Consortium for a term of one (1) year, beginning July 1, 2015 and terminating June 30, 2016; and
- b) Determine that the proposed action is exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15378(b)(4), finding that the action is a creation of a governmental funding mechanism or other government fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and direct staff to file a Notice of Exemption.

A-5) COMMUNITY SERVICES, COUNTY EXECUTIVE OFFICE[15-00888](#)

Consider recommendations regarding General Fund Agreements with Legal Aid Foundation of Santa Barbara County, as follows:

- a) Approve and authorize the Chair to execute a General Fund Grant Agreement with Legal Aid Foundation of Santa Barbara County for Common Ground Santa Barbara in the amount of \$40,000.00 for the period beginning July 1, 2015 and ending June 30, 2016;
- b) Approve and authorize the Chair to execute a General Fund Grant Agreement with Legal Aid Foundation of Santa Barbara County for the Family Violence Prevention Program in the amount of \$60,000.00 for the period beginning July 1, 2015 and ending June 30, 2016; and
- c) Determine that the approval of the General Fund Grant Agreements 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 projects are 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 direct staff to file a Notice of Exemption.

A-6) COUNTY COUNSEL**15-00879**

Consider recommendations regarding approval of Solvang Elementary School District's Conflict of Interest Code, as follows:

- a) Approve, as the Code Reviewing Body, the Solvang Elementary School District Conflict of Interest Code; and
- b) Determine that the above action is an organizational or administrative activity of government that is not a project under California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA Guidelines.

A-7) COUNTY EXECUTIVE OFFICE**15-00048**

Consider recommendations regarding re-ratification of the Drought Proclamation Passed October 20, 2015, (Thirty-Day Renewal), as follows:

- a) Adopt the Resolution re-ratifying the Proclamation of a Local Emergency for Drought and Water Supply Conditions that exist in Santa Barbara County pursuant to Government Code Section 8630(c);
- b) Direct the Office of Emergency Management to return monthly for re-ratification of the Emergency until such a time that weather and water supply conditions dictate otherwise; and
- c) Determine that this project was found by your Board to be exempt from the provisions of California Environmental Quality Act (CEQA) pursuant State CEQA Guidelines Sections 15061(b) (3) and 15269(a), and that the proposed actions are within the scope of the prior CEQA exemption.

A-8) COUNTY EXECUTIVE OFFICE**15-00449**

Consider recommendations regarding re-ratification of the Proclamation of a Local Emergency related to Refugio Beach Oil Spill passed October 20, 2015 (Thirty-Day Renewal), as follows:

- a) Adopt a Resolution re-ratifying the Proclamation of a Local Emergency related to Refugio Beach Oil Spill declared by the Director of Emergency Management on May 20, 2015, when the Board was not in session, pursuant to Government Code Section 8550 et. Seq. and Chapter 12, Section 12-5(a) of the Santa Barbara County Code and subsequently re-ratified by the Board;
- b) Direct the Office of Emergency Management to return monthly for re-ratification of the Emergency until such time that response and recovery conditions dictate otherwise; and
- c) Determine that this project was found by your Board to be exempt from the provisions of California Environmental Quality Act (CEQA) pursuant State CEQA Guidelines Sections 15061(b) (3) and 15269(a), and that the proposed actions are within the scope of the prior CEQA exemption.

A-9) GENERAL SERVICES**15-00880**

Consider recommendations regarding the Santa Ynez Valley Airport ACIP 14 Project No. 8595 Award Construction Contract, Third District, as follows:

- a) Approve the plans and specifications for construction of the Santa Ynez Airport ACIP 14 project on file in the General Services Capital Projects office;
- b) Reject the bid protest, and award the construction contract in the base amount of \$747,935.00 to the lowest responsible bidder, Whitaker Construction Group, Inc., subject to the provisions of the documents and certifications as set forth in the plans and specifications applicable to the project and as required by California Law;
- c) Approve and authorize the Chair to execute the Construction Contract with Whitaker Construction Group, Inc.;
- d) Authorize the Director of General Services to approve change orders in an amount not to exceed \$49,896.75 as authorized under California Public Contract Code Section 20142; and
- e) Find that the project was determined by your Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15301 on September 8, 2015, that a Notice of Exemption was filed on that basis, and that the above actions are within the scope of that Notice of Exemption.

A-10) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY**15-00884**

Acting as the Board of Directors, Water Agency:

Consider recommendations regarding a Joint Funding Agreement for the Cooperative Stream Gaging and Groundwater Monitoring Program, as follows:

- a) Approve and authorize the Chair to execute the Joint Funding Agreement with the United States Geological Survey to continue the countywide Cooperative Stream Gaging and Groundwater Monitoring Program from November 1, 2015 through October 31, 2016 in the amount of \$455,000.00 of which \$333,180.00 will be funded by the County Water Agency; and
- b) Find that the Cooperative Stream Gaging and Groundwater Monitoring Program is exempt under California Environmental Quality Act Guidelines Section 15306, basic data collection, research, experimental management, and resources evaluation activities; and approve the filing of a Notice of Exemption on that basis.

A-11) PUBLIC WORKS[15-00891](#)

Consider recommendations regarding construction of the 2015-2016 South County Hot Mix Asphalt (HMA) Overlay, County Project No. S 820667, First, Second, and Third Districts, as follows:

- a) Approve plans and specifications for the Construction of 2015-2016 South County HMA Overlay, County Project No. S 820667, on file in the Public Works Department office;
- b) Award the construction contract in the amount of \$915,814.00 to the lowest responsible bidder, CalPortland Construction, 1625 E. Donovan Road, Santa Maria, CA 93454, 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, which has been reviewed and approved by County Counsel, Auditor-Controller and Risk Manager, or their authorized representatives;
- d) Authorize the Public Works Director or designee to approve change orders for a contingency amount up to \$58,290.70, plus an additional amount of \$46,100.00 for supplemental work items for the Construction of 2015-2016 South County Hot Mix Asphalt Overlay, County Project No. S 820667, for a total project authorization of \$1,020,204.70; and
- e) Find the proposed actions are for existing facilities, which consists of the operation, repair, maintenance, or minor alteration of existing public structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities, and that the proposed actions are therefore exempt from California Environmental Quality Act pursuant to 14 CCR 15301(c) and approve and direct staff to file the Notice of Exemption on that basis.

A-12) PUBLIC WORKS[15-00892](#)

Consider recommendations regarding construction of 2015-2016 North County HMA Overlay; County Project No. N 820667, First, Third, Fourth and Fifth Districts, as follows:

- a) Approve plans and specifications for the Construction of 2015-2016 North County Hot Mix Asphalt Overlay, County Project No. N 820667, on file in the Public Works Department office;
- b) Award the construction contract in the amount of \$1,161,952.40 to the lowest responsible bidder, CalPortland Construction, 1625 E. Donovan Road, Santa Maria, CA 93454, 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, which has been reviewed and approved by County Counsel, Auditor-Controller and Risk Manager, or their authorized representatives;
- d) Authorize the Public Works Director or designee to approve change orders for a contingency amount up to \$70,597.62, plus an additional amount of \$77,400.00 for supplemental work items for the Construction of 2015-2016 North County Hot Mix Asphalt Overlay, County Project No. N 820667, for a total project authorization of \$1,309,950.02; and
- e) Find the proposed actions are for existing facilities, which consists of the operation, repair, maintenance, or minor alteration of existing public structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities, and that the proposed actions are therefore exempt from California Environmental Quality Act pursuant to 14 CCR 15301(c) and approve and direct staff to file the Notice of Exemption on that basis.

Hearing Requests**A-13) PLANNING AND DEVELOPMENT****15-00890**

Set a hearing to consider recommendations regarding Fish and Game Commission Composition and Membership, as follows:
(Set a hearing for November 17, 2015. Time estimate: 30 minutes)

- a) Adopt a Resolution which will modify the membership from 12 to 5 members, and rename the Santa Barbara County Fish and Game Commission to the Santa Barbara County Fish and Wildlife Commission;
- b) Rescind Resolutions that establish Fish and Game Commission, 83-75, 88-594, 96-10, and 03-057; and
- c) Determine pursuant to California Environmental Quality Act (CEQA) Guideline 15378(b)(5) that the above action is not a project subject to CEQA review because it is an administrative activity that will not result in direct or indirect physical changes in the environment.

Administrative Item**A-14) PUBLIC HEALTH****15-00862**

Consider recommendations regarding Staff Physician and Psychiatrist Recruitment Incentives, as follows:

- a) Within existing funding, authorize the County Executive Officer (CEO) to approve requests from the Public Health Department to provide new hire incentives for Public Health Staff Physicians up to \$75,000.00 per appointment as permitted by the New Hire Recruiting Incentives and Reimbursements Policy, not to exceed a maximum aggregate total of \$550,000.00 for the remainder of the Fiscal Year ending June 30, 2016;
- b) Within existing funding, authorize the CEO to approve requests from the Department of Alcohol, Drug, and Mental Health Services to provide new hire incentives for Alcohol Drug and Mental Health psychiatrists up to \$75,000.00 as permitted by the New Hire Recruiting Incentives and Reimbursements Policy, not to exceed an maximum aggregate of \$150,000.00 for the remainder of the Fiscal Year ending June 30, 2016; and
- c) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(2) because it consists of general policy and procedure making that will not result in changes in the environment.

Approval of Administrative Agenda

Departmental Agenda
Planning Items and Public Hearings

1) **PUBLIC WORKS** [15-00814](#)

HEARING - Consider recommendations regarding initiation of annexation of APN 107-250-008 (Bradley Village Tract Map 14,739 - Orcutt Community Plan Key Site 30) to the Santa Barbara North County Lighting District and Establishing a Zone of Benefit, Fourth District, as follows: (EST. TIME: 10 MIN.)

a) Receive and file testimony of any written protests or support;

b) Count the written property owner ballot(s);

c) Adopt a Resolution creating a zone of benefit for Bradley Village (Tract Map 14,739) within the North County Lighting District and imposing an annual assessment for street lighting services should there not be a majority protest; and

d) Find that the adoption of Resolutions to initiate formation and forming a zone benefit assessment is statutorily exempt from California Environmental Quality Act pursuant to 14 CCR 15273(a)(1) for the establishment of rates for the purposes of meeting operating expenses and direct staff to file and post a Notice of Exemption on that basis.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

2) **COUNTY EXECUTIVE OFFICE** [15-00885](#)

HEARING - Receive and file a presentation regarding the 2014-2015 Commission for Women Annual Report. (EST. TIME: 20 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) **COUNTY EXECUTIVE OFFICE, AUDITOR-CONTROLLER** [15-00883](#)

HEARING - Receive and file, per the provisions of Government Code Section 29126.2, the Fiscal Year 2015-2016 Budget and Financial Status Report as of September 30, 2015, showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

4) COMMUNITY SERVICES[15-00886](#)

HEARING - Consider recommendations regarding Orcutt Community Facilities District Special Report, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file the Orcutt Community Facilities District No. 2002-1 (Orcutt Community Plan) Special Report summarizing the existing special tax levy; and
- b) Determine that the Orcutt Community Facilities Districts Special Report is not subject to environmental review under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines section 15378(b)(5), finding that the project is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment and direct staff to file the Notice of Exemption.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

5) PLANNING AND DEVELOPMENT[15-00829](#)

HEARING - Consider recommendations regarding the Nicholas Appeal of the Stewart Single Family Dwelling and Agricultural Barn, Assessor Parcel No. 135-310-041, located at 3209 Old Calzada Ridge Road, Santa Ynez Community Planning area, Third District, as follows: (EST. TIME: 1 HR.)

- a) Deny the appeal, Case No. 15APL-00000-00015;
- b) Make the required findings for approval of the project including California Environmental Quality Act (CEQA) Findings;
- c) Determine that the project is exempt from CEQA pursuant to Section 15303(a) of the State Guidelines for the Implementation of the CEQA; and
- d) Grant de novo approval of the project, Case No. 14LUP-00000-00438.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Adjourn to

Tuesday, November 17, 2015

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, November 10, 2015 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, November 12, 2015, at 5:00 PM and on Saturday, November 14, 2015, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>