

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Das Williams, Vice Chair

Second District - Janet Wolf

Third District - Joan Hartmann, Chair

Fourth District - Peter Adam

Fifth District - Steve Lavagnino

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, October 3, 2017

9:00 AM

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

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

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: www.countyofsb.org.

9:00 A.M. Convened to Regular Session

Roll Call

Present: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Pledge of Allegiance

Approval of Minutes of the September 19, 2017 Meeting

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, to Approve the Minutes. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

County Executive Officer's Report

No report from the County Executive Officer.

12:00 P.M. Recessed to Closed Session**Closed Session****17-00007**

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Government Code section 54956.9)

Wellen v. County of Santa Barbara, et al. [and related cross-actions], Santa Barbara County Superior Court case number 16CV02867.

Kuhbander v. County of Santa Barbara, et al., Workers' Compensation Appeals Board case numbers ADJ8394835, etc.

County of Santa Barbara v. Zinke, etc., et al., United States District Court for the Central District of California, case number 2:17-cv-703-SVW-AFM.

County of Santa Barbara, California, et al. v. Pacific Regional Director, Bureau of Indian Affairs, United States Department of the Interior Office of Hearings and Appeals, Interior Board of Indian Appeals, docket numbers 16-051, 16-053, and 16-054.

[Santa Barbara County Board of Supervisors, sitting as the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District] Santa Barbara Flood Control and Water Conservation District v. The Funk Youth Hostel, LLC, Santa Barbara County Superior Court case number 16CV01190.

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
(Paragraph (2) of subdivision (d) of Government Code section 54956.9)

Significant exposure to civil litigation: two cases.

Report from Closed Session

No reportable action taken.

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.

Administrative Items

A-1) COUNTY EXECUTIVE OFFICE 17-00755

Consider recommendations regarding a Resolution Directing County Elections Officials to Conduct a Formation Election - Los Olivos Community Services District, as follows:

a) Adopt a Resolution calling, providing for and giving notice of a special mailed ballot election on January 30, 2018 for the purposes of determining whether the LAFCO order approving the formation of the Los Olivos Community Services District and a special tax shall be approved and electing the initial Board of Directors of the District and directing County elections officials to conduct the necessary elections on behalf of the proposed District; and

b) Find that these actions are not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15378(b)(4) and 15378(b)(5), because they consist of 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, or they consist of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Acted on as follows:

a) Adopted.

RESOLUTION NO. 17-203

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-2) GENERAL SERVICES

17-00738

Consider recommendations regarding the Santa Ynez Valley Airport Improvement Project - Award Professional Services Agreement (PSA) for Airport Planning, Engineering, Consulting Services and Construction Support, Third District, as follows:

a) Approve and authorize the Chair to execute the Professional Services Agreement (PSA) with John A. Smith, an individual, doing business as Tartaglia Engineering (Tartaglia) (not a local vendor) to provide professional airport planning, engineering, consulting services and construction support for the Santa Ynez Valley Airport; Airport Capital Improvement Program NPIAS 06-0243 over a five-year period, in an amount not to exceed \$1,000,000.00; and

b) Find that the current 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(c) on March 14, 2017, 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 motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Acted on as follows:

a) Approved and authorized; Chair to execute; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-3) HUMAN RESOURCES[17-00751](#)

Consider recommendations regarding the 2018 Employee Benefit Insurance Program Renewal, as follows:

a) In the matter of setting health plan rates for 2018, approve the following:

i) CSAC-EIA Blue Shield Health Plans

The renewal of the California State Association of Counties - Excess Insurance Authority (CSAC-EIA) Blue Shield Exclusive Provider Organization (EPO) High, Blue Shield EPO Low, Preferred Provider Organization (PPO), and High Deductible Health Plan (HDHP) plans for a twelve-month period, at the existing benefit levels with premium increase of 3.7%, effective January 1, 2018, for all active employees and retirees;

ii) Kaiser Permanente HMO Health Plans

The renewal of the active employees' and early retirees Kaiser Permanente High and Low Health Maintenance Organization (HMO) for a twelve-month period at the existing benefit levels, with a 3.7% increase in premiums, effective January 1, 2018, and for all Medicare eligible retirees, with an increase between 7.3 to 7.7% in premiums, depending on the plan type within the Senior Advantage Plan, at the existing benefit levels;

iii) County Self-Funded Delta Dental PPO Plan

The annual Actuarial Underwriting Report for the County Self-Funded Dental Plan, and continue the existing program benefits at the current premium level, with a zero increase for active employees and retirees, for a twelve-month period, effective January 1, 2018;

iv) Dental HMO Plan - DeltaCare USA

The renewal of the existing DeltaCare USA Dental Health Maintenance Organization (DHMO) plan, and continue the existing benefit levels for active employees and retirees, with a zero premium increase for a twelve-month period, effective January 1, 2018;

v) Vision Service Provider Plan

The renewal of the existing Vision Service Provider Plan, and continue the existing benefit levels for active employees and retirees, with a zero premium increase, for a twelve-month period, effective January 1, 2018;

vi) CareCounsel Healthcare Assistance Program

The renewal of the CareCounsel Healthcare Assistance Program with no increase for all covered active employees and retirees, for a twelve-month period effective January 1, 2018;

vii) United Healthcare Medicare Risk HMO Health Plans

The renewal of the United Healthcare Medicare Risk HMO Health Plans for County of Santa Barbara retirees, at existing benefit levels, and a premium increase of 7%, for a twelve-month period, effective January 1, 2018. Further, authorize the Human Resources Director or designee to execute any necessary third-party administrative agreements and documents required to manage plans listed in recommendations (i) through (vi) above; and

viii) County Contribution to Employees' Health Savings Account

Set the County contribution to the Health Savings Account (HSA) for those employees enrolled in the Blue Shield High Deductible Health Plan (HDHP), Employee Only coverage at \$1,200.00 per year, and for those employees enrolled in Employee Plus Dependents, at \$1,800.00 per year; and

b) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15378(b)(4) since the recommended actions are government funding mechanisms or fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Acted on as follows:

a) i) through viii) Approved; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-4) HUMAN RESOURCES

[17-00737](#)

Consider recommendations regarding a Sheriff's Service Technician Position, as follows:

a) Adopt a Resolution to amend the salary of the Sheriff's Service Technician-Law Enforcement classification (Class No. 6911, Range No. 6911, \$22.80 to \$27.75 per hour); and

b) Determine pursuant to California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4) that the above action is a 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 therefore is not a project subject to environmental review.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Acted on as follows:

a) Adopted.

RESOLUTION NO. 17-204

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-5) PLANNING AND DEVELOPMENT [17-00739](#)

Consider recommendations regarding a one-year time extension to a Coastal Resource Enhancement Fund (CREF) Contract for Ellwood Mesa Coastal Trail Enhancement and Habitat Project, Third District, as follows:

- a) Approve and authorize the Chair to execute an additional one-year time extension to the existing Coastal Resource Enhancement Fund contract with the Santa Barbara County Trails Council to September 30, 2018, for implementation of the Ellwood Mesa Coastal Trail Enhancement and Habitat Project; and
- b) Determine that the extension of the allocation of the CREF grant for the Ellwood Mesa Coastal Trail Enhancement and Habitat Project is exempt from CEQA pursuant to Section 15378(b)(5) of the State Guidelines for the implementation of the California Environmental Quality Act.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Acted on as follows:

- a) Approved and authorized; Chair to execute; and**
- b) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-6) PUBLIC HEALTH [17-00422](#)

Consider recommendations regarding a revised Ordinance to amend "Chapter 7 - Animals and Fowl" Vicious and Restricted Dogs of the Santa Barbara County Code and recommended revisions to the Animal Services Fee Ordinance, as follows:

- a) Approve the adoption (Second Reading) of the Ordinance amending Chapter 7, Article VIII - Vicious and Restricted Dogs, of the Santa Barbara County Code with an effective date of November 3, 2017;
- b) Approve the adoption (Second Reading) of the Ordinance amending the Animal Services Fee Schedule by adding a surcharge to the licensing fee for a dog declared restricted, a new fee for the cost of a Hearing for a Vicious or Restricted dog, adding a fine for a violation of a restriction placed on a Restricted Dog and adding a fine for a violation of a restriction placed on a Vicious Dog; and

c) Determine that adoption of an Ordinance amending Chapter 7, Article VIII. - Vicious and Restricted Dogs, of the Santa Barbara County Code and adoption of an Ordinance amending the Animal Services Fee Schedule by adding a surcharge to the licensing fee for a dog declared restricted, a new fee for the cost of a Hearing for a Vicious or Restricted dog, adding a fine for a violation of a restriction placed on a Restricted Dog and adding a fine for a violation of a restriction placed on a Vicious Dog is exempt from California Environmental Quality Act (CEQA) 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 impact on the environment, and direct staff to file the Notice of Exemption.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Acted on as follows:

a) Adopted.

ORDINANCE NO. 5011

b) Adopted.

ORDINANCE NO. 5012

c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-7) PUBLIC HEALTH[17-00665](#)

Consider recommendations regarding a proposed amendment to “Chapter 7 - Animals and Fowl” of the Santa Barbara County Code, as follows:

- a) Consider the adoption (Second Reading) of the Ordinance amending Chapter 7, Article III. - Licenses and tags -Required, of the Santa Barbara County Code with an effective date of November 3, 2017; and
- b) Determine that adoption of an Ordinance amending Chapter 7, Article III. - Licenses and Tags -Required, of the Santa Barbara County Code is exempt from the California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15061(b)(3), since it can be seen with certainty that there is no possibility that the activity may have a significant impact on the environment, and direct staff to file a Notice of Exemption.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Acted on as follows:

a) Adopted.

ORDINANCE NO. 5013

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-8) PUBLIC HEALTH[17-00736](#)

Consider recommendations regarding a Bid Waiver and Agreement with Tel-Tec Security Systems, Inc. for facility security, as follows:

- a) Approve and authorize installation services and the purchase of goods consisting of security system hardware without competitive bidding in accordance with Santa Barbara County Code section 2-39(c) since there are limitations in the source and supply and necessary restrictions in specifications to maintain countywide compatibility;
- b) Approve and authorize the Chair to execute a Professional Services Agreement with Independent Contractor Tel-Tec Security Systems, Inc. to install additional facility locking devices and necessary controls to improve the security of thirteen Public Health Department facilities in an amount up to but not to exceed \$271,055.06 for the period of October 3, 2017 through June 30, 2019;

c) Approve and authorize the Director of Public Health, or designee, to make immaterial changes in accordance with Section 32; and

d) Find that the Agreement does not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(4) of the CEQA Guidelines, since it is creation of a government funding mechanism 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.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Acted on as follows:

- a) **Approved and authorized;**
- b) **Approved and authorized; Chair to execute;**
- c) **Approved and authorized; and**
- d) **Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-9) PUBLIC WORKS

[17-00743](#)

Consider recommendations regarding Agreements for Services of Independent Contractor with Diversified Project Services International, Inc., Third District, as follows:

a) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor to provide land surveying and engineering services for the period of October 3, 2017 through June 30, 2019 in an amount not to exceed \$129,000.00 with Diversified Project Services International, Inc.; and

b) Find that pursuant to California Environmental Quality Act Guidelines Section 15162, no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the Tajiguas Landfill Expansion Project and Tajiguas Landfill Reconfiguration or of the sufficiency or feasibility of mitigation measures, and therefore the engineering services in support thereof is within the scope of the project covered by the Tajiguas Landfill Expansion Project EIR (01-EIR-05) certified by the Board of Supervisors on August 13, 2002, the Addendum to 01-EIR-05 dated November 8, 2006 and accepted by the Board of Supervisors on December 5, 2006 and the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project Subsequent EIR (08-EIR-00000-00007) certified May 5, 2009.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Acted on as follows:

a) Approved and authorized; Chair to execute; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-10) PUBLIC WORKS

[17-00746](#)

Consider recommendations regarding an Agreement for Services of Independent Contractor with SWT Engineering, Inc., Third District, as follows:

a) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor with SWT Engineering, Inc. to provide engineering services for the period of October 3, 2017 through June 30, 2020 in an amount not to exceed \$750,000.00; and

b) Find that pursuant to California Environmental Quality Act Guidelines Section 15162, no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the Tajiguas Landfill Expansion Project and Tajiguas Landfill Reconfiguration or of the sufficiency or feasibility of mitigation measures, and therefore the engineering services in support thereof is within the scope of the project covered by the Tajiguas Landfill Expansion Project EIR (01-EIR-05) certified by the Board of Supervisors on August 13, 2002, the Addendum to 01-EIR-05 dated November 8, 2006 and accepted by the Board of Supervisors on December 5, 2006 and the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project Subsequent EIR (08-EIR-00000-00007) certified May 5, 2009.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Acted on as follows:

a) Approved and authorized; Chair to execute; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-11) PUBLIC WORKS17-00748

Consider recommendations regarding a Professional Services Agreement regarding preliminary documents for the San Ysidro Road at US 101 Interchange Improvement Project, County Project No. 740031, and Federal-Aid Project No. HPLUL - 6090(048), First District, as follows:

- a) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor for preliminary design and environmental services with T.Y. Lin International for a performance period from October 3, 2017 through October 3, 2020, and a base amount not to exceed \$395,442.63, for the San Ysidro Road at US 101 Interchange Improvement Project;
- b) Approve and authorize the Director of Public Works, or designee, to approve Agreement amendments within the scope of work in an amount not to exceed \$39,544.26 for a total Agreement amount up to and not to exceed \$434,986.89;
- c) Approve and authorize the Director of Public Works, or designee, to make immaterial changes to the Agreement in accordance with Section 36; and
- d) Find that the proposed contract does not constitute a "Project" within the meaning of the California Environmental Quality Act pursuant to 14 CCR 15378 (b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment), and approve and direct staff to file a Notice of Exemption on that basis.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Continued, as follows: October 17, 2017 in Santa Barbara. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-12) PUBLIC WORKS[17-00747](#)

Consider recommendations regarding the State Road Maintenance and Rehabilitation Account List of Projects, as follows:

- a) Receive and file the list of Road Maintenance Annual Plan projects with information included to meet State reporting requirements; and
- b) Find that receiving and filing the list does not constitute a “Project” within the meaning of the California Environmental Quality Act pursuant to 14 CCR 15378 (b)(2) Continuing administrative or maintenance activities, such as purchases for supplies, personal-related actions, general policy and procedure making, and direct staff to file a Notice of Exemption on that basis.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Acted on as follows:

- a) Received and filed; and**
- b) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-13) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT[17-00744](#)

Consider recommendations regarding a Sewer System Management Plan Update, Third, Fourth and Fifth Districts, as follows:

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

- a) Approve the updated Laguna County Sanitation District Sewer System Management Plan as required by the State Water Resources Control Board Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (Order 2006-0003); and
- b) Find that the proposed action does not constitute a “Project” within the meaning of the California Quality Act, pursuant to 14 CCR 15378(b)(5), in that it is a government administrative activity that will not result in direct or indirect changes in the environment.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Acted on as follows:

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

a) and b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-14) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT

17-00745

Consider recommendations regarding a Skyway Drive Sewer Upgrade and authorization to advertise and receive bids for construction, Fourth District, as follows:

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

a) Authorize the Public Works Director to advertise and receive bids for the construction of the Skyway Drive Sewer Upgrade project; and

b) Find that the project consists of the installation of less than one mile of new sewer line to replace an existing sewer line located within existing rights of way and is statutorily exempt from the California Environmental Quality Act pursuant to Public Resources Code Section 21080.21 and Section 15282(k) of Title 14 of the California Code of Regulations and approve the filing of a Notice of Exemption on that basis.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Acted on as follows:

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

a) Authorized; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-15) SHERIFF[17-00735](#)

Consider recommendations regarding a Praeses Contract, as follows:

- a) Approve, authorize, and ratify the Chair to execute the Agreement for Services of Independent Contractor with Praeses, LLC (not a local vendor) to provide inmate telephone management services for the period effective July 1, 2017 to June 30, 2018; and
- b) Find that the proposed actions do not constitute a “Project” within the meaning of the California Environmental Quality Act (CEQA), pursuant to 14 CCR 15378(b)(5), in that they are government administrative activities that will not result in direct or indirect changes to the environment.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Acted on as follows:

- a) Approved and authorized; Chair to execute; and**
- b) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Board of Supervisors

A-16) SUPERVISOR HARTMANN[17-00728](#)

Approve the appointment of Kristi Hundt to the County Riding and Hiking Trails Advisory Committee, open term, Third District.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-17) SUPERVISOR HARTMANN [17-00730](#)

Approve the appointment of David Hosking to the County Riding and Hiking Trails Advisory Committee, open term, Third District.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-18) SUPERVISOR ADAM [17-00729](#)

Approve the reappointment of Eileen Wyckoff to the Historic Landmark Advisory Commission, term ending January 3, 2021, Fourth District.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Hearing Requests**A-19) SUPERVISOR WILLIAMS, SUPERVISOR HARTMANN [17-00756](#)**

Set Hearing to consider recommendations regarding a Memorandum of Agreement between Santa Barbara County and the Santa Ynez Band of Chumash Indians Regarding Camp 4, as follows: (Set a hearing for October 17, 2017. Time estimate: 2 hours 30 minutes.)

- a) Approve, and authorize the Chair to execute a Memorandum of Agreement with the Santa Ynez Band of Chumash Indians regarding "Camp 4";
- b) Provide other direction to the Ad Hoc Subcommittee on Tribal Matters and staff as deemed appropriate; and
- c) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) and 15378(b)(5) that the above actions are not a project subject to CEQA review.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Set for a hearing, as follows: October 17, 2017 in Santa Barbara (EST. TIME: 2 HR. 30 MIN.). The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-20) GENERAL SERVICES[17-00752](#)

Set a hearing to review the Arbitrator's Opinion and Award (Revised on Remand) dated March 13, 2017 as to Awards 5, 7, 8, and 13 (previously known as Awards 4, 6, 7, and 12) in the matter of arbitration between Nomad Village Mobile Home Homeowners and Nomad Village Mobile Home Park, pursuant to Rule 23 of the Mobilehome Rent Control Rules for Hearings and Chapter 11A, Section A-4 of the Santa Barbara County Code, Second District, as follows:
(Set a hearing for October 17, 2017. Time estimate: 1 hour)

a) Make the following determinations as supported by the findings;

i) Find that the Arbitrator did not abuse his discretion and affirm Award No. 5 related to amortization over the useful life of the capital expense;

ii) Find that the Arbitrator did not abuse his discretion and affirm Award No. 7 related to professional fees for services associated with the capital expenses and improvements;

iii) Find that the Arbitrator did not abuse his discretion and affirm Award No. 8 related to professional fees for services associated with capital improvements; and

iv) Find that the Arbitrator did not abuse his discretion and affirm Award No. 13 related to the permanent rent increase of \$25.59 and the temporary rent increase of \$39.44;

b) Determine 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), approve and direct staff to file and post a Notice of Exemption on that basis; and

c) Refer back to Staff if the Board wishes to take any action other than the recommended action for a revised motion and findings.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Set for a hearing, as follows: October 17, 2017 in Santa Barbara (EST. TIME: 1 HR.). The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-21) PLANNING AND DEVELOPMENT[17-00753](#)

Set a hearing to consider the recommendations of the County Planning Commission to approve Case No. 17ORD-00000-00007 which would amend Article X, Medical Marijuana Regulations, of Chapter 35, Zoning, of the Santa Barbara County Code to terminate the exemption from the prohibition of medical marijuana cultivation for medical marijuana cultivation locations that existed as of January 19, 2016, and to include a process to determine whether such medical marijuana cultivation locations are considered as legal, nonconforming operations, as follows:

(Set a hearing for October 17, 2017. Time estimate: 1 hour 30 minutes)

- a) Make the findings for approval, including California Environmental Quality Act (CEQA) findings, of the proposed Ordinance;
- b) Determine that the adoption of this Ordinance is categorically exempt from CEQA pursuant to Section 15061(b)(3) of the Guidelines for Implementation of State CEQA; and
- c) Adopt an Ordinance (Case No. 17ORD-00000-00007) amending Article X, Medical Marijuana Regulations, of Chapter 35, Zoning, of the Santa Barbara County Code.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Set for a hearing, as follows: October 17, 2017 in Santa Barbara (EST. TIME: 1 HR. 30 MIN.).The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Honorary Resolutions

A-22) SUPERVISOR WILLIAMS, SUPERVISOR WOLF[17-00741](#)

Adopt a Resolution supporting our Dreamers and the Deferred Action for Childhood Arrivals (DACA) Program.

A motion was made by Supervisor Wolf, seconded by Supervisor Williams, that this matter be Adopted.

RESOLUTION NO. 17-205

The motion carried by the following vote:

Ayes: 3 - Supervisor Williams, Supervisor Wolf, and Supervisor Hartmann

Abstained: 2 - Supervisor Adam, and Supervisor Lavagnino

A-23) SUPERVISOR HARTMANN [17-00733](#)

Adopt a Resolution proclaiming the month of October 2017 as National Cyber Security Awareness Month in Santa Barbara County.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Williams, that this matter be Adopted.

RESOLUTION NO. 17-206

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Resolutions to be Presented

A-24) SUPERVISOR HARTMANN [17-00734](#)

Adopt a Resolution proclaiming the week of October 1, 2017 through October 7, 2017 as National 4-H Week in Santa Barbara County.

A motion was made by Supervisor Wolf, seconded by Supervisor Lavagnino, that this matter be Adopted.

RESOLUTION NO. 17-207

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-25) SUPERVISOR WILLIAMS [17-00740](#)

Adopt a Resolution proclaiming the month of October 2017 as Dyslexia Awareness Month in Santa Barbara County and recognizing the work of Deidre and Barry Dubin.

A motion was made by Supervisor Wolf, seconded by Supervisor Lavagnino, that this matter be Adopted.

RESOLUTION NO. 17-208

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-26) SUPERVISOR HARTMANN [17-00731](#)

Adopt a Resolution proclaiming the month of October 2017 as Energy Awareness Month in Santa Barbara County.

A motion was made by Supervisor Wolf, seconded by Supervisor Lavagnino, that this matter be Adopted.

RESOLUTION NO. 17-209

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, and Supervisor Lavagnino

Noes: 1 - Supervisor Adam

A-27) SUPERVISOR HARTMANN [17-00732](#)

Adopt a Resolution of Commendation honoring Evelyn Rainbolt of the Social Services Department as the October 2017 Employee of the Month in Santa Barbara County.

A motion was made by Supervisor Wolf, seconded by Supervisor Lavagnino, that this matter be Adopted.

RESOLUTION NO. 17-210

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-28) SUPERVISOR HARTMANN [17-00742](#)

Adopt a Resolution proclaiming the month of October 2017 as National Arts and Humanities Month in Santa Barbara County.

A motion was made by Supervisor Wolf, seconded by Supervisor Lavagnino, that this matter be Adopted.

RESOLUTION NO. 17-211

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

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) (17-00001)

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

Re: Conservatorship Issues - Lynda Enta addressed the Board

Re: County Planning Process - Ed Kalasky addressed the Board

Re: Conserving Trees in Santa Barbara County / Superior Court Case Issues - Dorothy Dent addressed the Board

Re: Infectious Disease Control - Geof Bard addressed the Board

Departmental Agenda
Planning Items and Public Hearings

1) **PLANNING AND DEVELOPMENT** **17-00727**

HEARING - Consider recommendations regarding a Short-Term Rental (STR) Ordinance, as follows: (EST. TIME: 2 HR. 30 MIN.)

a) Consider recommendations regarding Case No. 16ORD-00000-00009 (County LUDC Amendments), as follows:

i) Make the required findings for approval, including California Environmental Quality Act (CEQA) findings; and

ii) Adopt an Ordinance amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code by amending Article 35.2, Zones and Allowable Land Uses, Article 35.3, Site Planning and Other Project Standards, Article 35.4, Standards for Specific Land Uses, and Article 35.11, Glossary, to implement new regulations regarding the land uses of STRs and Homestays and make other minor clarifications, corrections, and revisions (Case No. 16ORD-00000-00009);

b) Consider recommendations regarding Case No. 16ORD-00000-00011 (MLUDC Amendments), as follows:

i) Make the required findings for approval, including CEQA findings; and

ii) Adopt an Ordinance amending Division 35.2, Montecito Zones and Allowable Land Uses, Division 35.3, Montecito Site Planning and Other Project Standards, and Division 35.10, Glossary of the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, to implement new regulations regarding the land uses of STRs and Homestays and make other minor clarifications, corrections, and revisions (Case No. 16ORD-00000-00011);

c) Consider recommendations regarding Case No. 16ORD-00000-00012 (Article II Amendments), as follows:

i) Make the required findings for approval, including CEQA findings;

ii) Adopt an Ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code by amending Division 1, In General, Division 2, Definitions, Division 4, Zoning Districts, Division 6, Parking Regulations, Division 7, General Regulations, and Division 12, Administration, to implement new land use regulations regarding the

land uses of STRs and Homestays and make other minor clarifications, corrections, and revisions (Case No. 16ORD-00000-00012);

iii) Make the required findings for approval, including CEQA findings; and

iv) Adopt an Ordinance amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code by amending Division 5, Overlay Districts, to implement a new Short-Term Rentals-Coastal Historic Overlay District with land use regulations regarding STRs, and make other minor clarifications, corrections, and revisions (Case No. 17ORD-00000-00008);

d) Determine that adoption of these Ordinances is exempt from CEQA pursuant to Section 15061(b)(3) and section 15265 of the State Guidelines for Implementation of CEQA;

e) Direct staff to develop a countywide farmstay program in the AG-II zone districts in conjunction with the Agricultural Tiered Permitting project currently underway and included in the 2017-2018 Long Range Planning Work Program; and

f) Direct staff to return to the Board prior to the end of this calendar year to consider implementation options and select an enforcement approach, including necessary staffing, to be incorporated into the Department's Fiscal Year 2018-2019 budget submittal.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:27 AM - 1:59 PM (3 HRS. 32 MIN.)

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Wolf, seconded by Supervisor Williams, that this matter be acted on as follows:

a) i and ii) Adopted required findings. Adopted an Ordinance (Case No. 16ORD-00000-00009) for the LUDC to implement new regulations regarding the land uses of Short Term Rentals and Homestays as amended at the hearing on October 3, 2017 and reflected in Exhibit 1 of Planning and Development Board Letter dated October 3, 2017, and as to Homestays acted to meet the goal of economic assistance to homeowners while balancing this goal against concerns related to noise, traffic and nuisance in neighborhoods.

ORDINANCE NO. 5014

b) i and ii) Adopted required findings. Adopted an Ordinance (Case No. 16ORD-00000-00011) for the MLUDC to implement new regulations regarding the land uses of Short Term Rentals and Homestays as amended at the hearing on October 3, 2017 and reflected in Exhibit 1 of Planning and Development Board Letter dated October 3, 2017, and as to Homestays acted to meet the goal of economic assistance to homeowners while balancing this goal against concerns related to noise, traffic and nuisance in neighborhoods.

ORDINANCE NO. 5015

c) i and ii) Adopted required findings. Adopted an Ordinance (Case No. 16ORD-00000-00012) for Article II (Coastal Zoning Ordinance) to implement new regulations regarding the land uses of Short Term Rentals and Homestays as amended at the hearing on October 3, 2017 and reflected in Exhibit 1 of Planning and Development Board Letter dated October 3, 2017, and as to Homestays acted to meet the goal of economic assistance to homeowners while balancing this goal against concerns related to noise, traffic and nuisance in neighborhoods.

ORDINANCE NO. 5016

iii) Adopted required findings.

iv) Adopted an Ordinance (Case No. 17ORD-00000-00008) amending Article II (Coastal Zoning Ordinance), Chapter 35, Division 5 (Overlay Districts), to implement a new Short Term Rentals Historic Overlay District with land use regulations regarding Short Term Rentals and Homestays as amended at the hearing on October 3, 2017 and reflected in Exhibit 1 of Planning and Development Board Letter dated October 3, 2017.

ORDINANCE NO. 5017

d) Approved.

e) and f) Directed.

The motion carried by the following vote:

Ayes: 3 - Supervisor Williams, Supervisor Wolf, and Supervisor Hartmann

Noes: 2 - Supervisor Adam, and Supervisor Lavagnino

2) COMMUNITY SERVICES17-00749

HEARING - Consider recommendations regarding Community Choice Energy (CCE) Feasibility Study Results, as follows: (EST. TIME: 2 HR. 30 MIN.)

a) Receive and file a Technical Feasibility Study on Community Choice Aggregation for the Central Coast Region;

b) Receive and file a Comparison Matrix of CCE Programs;

c) Provide staff with direction regarding CCE options, as follows:

i) Option 1. Join two existing CCE programs;

ii) Option 2. Form a new CCE program;

iii) Option 3. Not implement a CCE program at this time and continue to explore additional CCE-related options for later consideration; or

iv) Option 4. Not implement a CCE program at this time and discontinue the County's evaluation of CCE.; and

d) Determine that the above recommended actions do not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15262, as the actions involve only feasibility or planning studies for possible future actions which the Board has not approved, adopted, or funded and does not have a legally binding effect on later activities, and direct staff to file a Notice of Exemption (NOE); or

e) Provide other direction to staff.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 2:35 PM - 5:05 PM (2 HRS. 30 min.)

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Williams, seconded by Supervisor Hartmann, that this matter be acted on as follows:

a) and b) Received and filed.

c) Approved Option iii. Directed staff to seek additional information regarding options to join other CCEs; to engage a qualified consultant to conduct additional analysis with adjusted assumptions as outlined in the peer review including but not limited to using a market based approach to solicit PPA contracts for wind, solar and natural gas that would meet energy demands; and further directed staff to explore issuance of an RFP for an energy consultant to analyze Santa Barbara County facilities for a pending solicitation from Southern California Edison for local electrical capacity resources and to also reach out to other agencies and large customers to inquire about their participation in such a planning effort.

d) Approved.

The motion carried by the following vote:

Ayes: 3 - Supervisor Williams, Supervisor Wolf, and Supervisor Hartmann

Noes: 2 - Supervisor Adam, and Supervisor Lavagnino

Adjourned at 5:27 PM

Adjourned to

Tuesday, October 10, 2017

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, October 3, 2017 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, October 5, 2017, at 5:00 PM and on Saturday, October 7, 2017, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>