

County of Santa Barbara
BOARD OF SUPERVISORS



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First District - Das Williams, Chair
Second District - Laura Capps
Third District - Joan Hartmann
Fourth District - Bob Nelson
Fifth District - Steve Lavagnino, Vice Chair

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, February 14, 2023

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.

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 Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Pledge of Allegiance

Approval of Minutes of the February 7, 2023 Meeting

A motion was made by Supervisor Hartmann, seconded by Supervisor Capps, to approve the minutes. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

County Executive Officer's Report

[23-00001](#)

County Executive Officer’s Report: Receive a report from the County Executive Officer (CEO) on County programs, County staff updates and achievements, staff recognitions, updates on major projects, updates on state and federal legislation, and upcoming events of interest to the Board and the public. There will be no Board discussion except to ask questions or refer matters to staff; and no action will be taken unless listed on a subsequent agenda.

County Executive Officer, Mona Miyasato announced updates from the Public Health Department regarding COVID-19 testing and treatment. For the latest information regarding COVID-19 testing and treatment please visit the Santa Barbara County Public Health Department's website at <https://www.countyofsb.org/410/Public-Health>.

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) AUDITOR-CONTROLLER'S OFFICE [23-00144](#)

Consider recommendations regarding the Auditor-Controller’s Report on the Santa Barbara County Treasurer’s Investment Pool Statement of Assets, as of December 31, 2022, as follows:

- a) Receive and file the Auditor-Controller's Report on the Santa Barbara County Treasurer’s Investment Pool Statement of Assets as of December 31, 2022; and
- b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines because they consist of the creation of government funding mechanisms 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 Nelson, seconded by Supervisor Hartmann, 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 Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-2) BEHAVIORAL WELLNESS DEPARTMENT[23-00145](#)

Consider recommendations regarding a Budget Revision Request for Board of State and Community Corrections (BSCC) Proposition 47 Cohort III Grant Funds, as follows: (4/5 Vote Required)

a) Approve Budget Revision Request No. 0008722 for Fiscal Year (FY) 2022-2023 to:

i) Increase appropriations of \$940,804.00 in Behavioral Wellness Alcohol and Drug Program Fund for Salary and Benefits (\$105,558.00), Services and Supplies (\$646,658.00), and Other Financing Uses (\$188,588.00), funded by unanticipated revenue from the Proposition 47 Grant;

ii) Increase appropriations of \$60,001.00 in Public Defender General Fund for Salary and Benefits (\$15,000.00) and Services and Supplies (\$45,001.00), funded by operational transfer from Behavioral Wellness Alcohol and Drug Program Fund;

iii) Increase appropriations of \$29,123.00 in District Attorney General Fund for Salary and Benefits (\$29,123.00), funded by operational transfer from Behavioral Wellness Alcohol and Drug Program Fund;

iv) Increase appropriations of \$94,575.00 in Sheriff General Fund for Salary and Benefits (\$94,575.00), funded by operational transfer from Behavioral Wellness Alcohol and Drug Program Fund; and

v) Increase appropriations of \$4,889.00 in Probation General Fund for Services and Supplies (\$4,889.00) funded by operational transfer from Behavioral Wellness Alcohol and Drug Program Fund; and

b) Determine that the above action is a government fiscal activity or funding mechanism which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and is therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines.

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

a) i) through v) Approved; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-3) COUNTY EXECUTIVE OFFICE

[23-00146](#)

Approve Budget Revision Request No. 0008714 (Majority Vote Required); and Budget Revision Request Nos. 0008727 and 0008732 (4/5 Vote Required).

A motion was made by Supervisor Nelson, seconded by Supervisor Hartmann, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-4) HUMAN RESOURCES DEPARTMENT

[23-00139](#)

Consider recommendations regarding Chief Pilot Compensation, as follows:

- a) Effective February 20, 2023, approve the Side Letter Agreement between the County and the Santa Barbara County Deputy Sheriffs’ Association, for compensation for employees designated to Serve as Chief Pilot in the Air Support Unit; and
- b) Determine pursuant to California Environmental Quality Act (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 Nelson, seconded by Supervisor Hartmann, that this matter be acted on as follows:

a) and b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-5) PUBLIC WORKS DEPARTMENT

23-00138

Consider recommendations regarding an agreement with the Mattress Recycling Council to provide mattress collection services and payments for units collected at the South Coast Recycling and Transfer Station and the Santa Ynez Valley Recycling and Transfer Station, as follows:

- a) Approve and authorize the Chair to execute a service contract with the Mattress Recycling Council for services to provide mattress collection and payment for mattress units collected by Santa Barbara County; and

- b) Determine that the proposed action is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301(Existing Facilities), 15308 (Actions by Regulatory Agencies for Protection of the Environment) and 15311 (Accessory Structures) and approve the posting of a Notice of Exemption on that basis.

A motion was made by Supervisor Nelson, seconded by Supervisor Hartmann, 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 Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-6) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, LAGUNA 23-00137
COUNTY SANITATION DISTRICT

Consider recommendations regarding plans and specifications for the Laguna County Sanitation District Recycled Water Distribution Project to the Rancho Maria Golf Course, Fourth District, as follows:

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

- a) Approve plans and specifications for the Recycled Water Distribution to Rancho Maria Golf Course, project, No. RWDIS2, on file in the Laguna County Sanitation District office;
- b) Award the construction contract in the base amount of \$868,600.00 to the lowest responsible bidder, Raminha Construction, Incorporated, (a tri-county vendor), 11505 Halcon Road, Atascadero, CA 93422, subject to the provision of documents and certifications as set forth in the plan specifications applicable to the project, as required under California law;
- c) Authorize the Public Works Director or designee to approve change orders for a contingency amount up to \$50,000.00 for a total, not-to-exceed contract amount of \$918,600.00;
- d) Approve and authorize the Chair to execute the Construction Contract with Raminha Construction, Incorporated; and
- e) Determine that pursuant to California Environmental Quality Act Guidelines Section 15162, no substantial changes are proposed or have occurred, and no new information of substantial importance has come to light regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures and, therefore, the recommended actions pertaining to the Recycled Water Distribution Project to Rancho Maria Golf Course, project No. RWDIS2, are within the scope of the project analyzed in the Final Mitigated Negative Declaration for the Recycled Water Distribution Main (Phase 2), 09NGD-00000-00021, adopted by the Board of Directors on April 6, 2010 and the Wastewater Reclamation Plant Facilities Master Plan and Habitat Conservation Plan Final Mitigated Negative Declaration, 17NGD-00000-00015, adopted by the Board of Directors on July 3, 2018, and no new environmental document is required.

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

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

- a) Approved;
- b) Awarded;
- c) Authorized;
- d) Approved and authorized; Chair to execute; and
- e) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-7) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [23-00141](#)

Consider recommendation regarding Montecito Flood Control Master Plan, Phase I (SC2301), First District, as follows:

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

- a) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor with Atkins North America, Inc. (not a local vendor) to provide engineering planning services for the Montecito Flood Control Master Plan, Phase I for the period of February 14, 2023 through June 30, 2024 in an amount not to exceed \$249,462.41;
- b) Approve and authorize the Public Works Director, or designee, to make immaterial changes in accordance with Section 34 of the Agreement, to make amendments to the professional services agreement with Atkins North America, Inc. in an amount not to exceed \$24,946.24 and to extend the term of the Agreement by up to one-year to complete the work within the scope of the Agreement; and
- c) Find that proposed Montecito Flood Control Master Plan, Phase I is exempt under California Environmental Quality Act Guidelines Section 15262; Feasibility and Planning Studies and Section 15306 (Class 6) Basic data collection, research, experimental management, and resource evaluation activities, and direct the Clerk of the Board to file the Notice of Exemption.

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

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

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

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-8) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [23-00142](#)

Consider recommendations regarding amendments to Bob’s Backhoe and Trucking and Filippin Engineering Inc. agreements, as follows:

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

- a) Approve, ratify, and authorize the Public Works Director or his designee to execute Amendment No. 1 to the Agreement for Services of Independent Contractor with Bob’s Backhoe and Trucking - BC No. 22-095 (a local vendor) adding additional federal clauses and increasing the contract amount by \$1,000,000.00 to an amount not-to-exceed \$2,000,000.00 for as needed maintenance and emergency response work;
- b) Approve, ratify, and authorize the Public Works Director or his designee to execute Amendment No. 1 to the Agreement for Services of Independent Contractor with Filippin Engineering Inc.- BC No. 22-025 (a local vendor) adding additional federal clauses and increasing the contract amount by \$300,000.00 to a total not-to-exceed amount of \$600,000.00 for as needed contract management and engineering services; and
- c) Find that the recommended actions to amend contracts for trucking and maintenance services are fiscal activities not constituting a “Project” within the meaning of the California Environmental Quality Act, as set forth in 14 CCR 15378(b)(4).

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

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

a) and b) Approved, ratified and authorized; and

c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-9) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [23-00143](#)

Consider recommendations regarding a Public Works Director's Report on Emergency Response Actions from Impacts of Flooding and Storms and Continuation of Emergency Actions, as follows:
(4/5 Vote Required)

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

a) Receive and review a report from the Public Works Director regarding emergency actions taken pursuant to Resolution No. 19-327 and Public Contract Code section 22050 related to emergency operations responding to flooding, storms, debris removal and transportation projects following the recent storm events and the necessity of the action and the reasons the emergency will not permit delay resulting from competitive solicitation of bids;

b) Determine that there is a need to continue the emergency actions ordered by the Public Works Director;

c) Direct staff to return to the Board every 14 days to allow the Board to review the emergency action and determine whether there is a need to continue the emergency action, by a 4/5 vote, until the actions are terminated;

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

d) Determine that these emergency actions were found by the Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15269(c) on January 24, 2023. A Notice of Exemption was filed on this basis on January 24, 2023, and the proposed action is within the scope of that Notice of Exemption; and

Acting as the Board of Supervisors:

e) Determine that these emergency actions were found by the Board to be exempt from the provisions of the CEQA pursuant to State CEQA Guidelines Section 15269(d) on February 7, 2023. A Notice of Exemption was filed on this basis on February 7, 2023, and the proposed action is within the scope of that Notice of Exemption.

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

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

- a) Received and reviewed;
- b) Approved;
- c) Directed;

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

- d) Approved; and

Acting as the Board of Supervisors:

- e) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Board of Supervisors

A-10) SUPERVISOR NELSON

23-00149

Approve the appointment of John Karamitsos to the County Riding and Hiking Trails Advisory Committee, open term, Fourth District.

A motion was made by Supervisor Nelson, seconded by Supervisor Hartmann, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-11) SUPERVISOR NELSON [23-00150](#)

Approve the appointment of Robin Dunaetz to the County Riding and Hiking Trails Advisory Committee, open term, Fourth District.

A motion was made by Supervisor Nelson, seconded by Supervisor Hartmann, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Resolutions to be Presented

A-12) SUPERVISOR NELSON [23-00070](#)

Adopt a Resolution of Commendation honoring Coleman Lucas for his service to the Santa Maria Cemetery District and Community.

A motion was made by Supervisor Nelson, seconded by Supervisor Hartmann, that this matter be adopted.

RESOLUTION NO. 23-26

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-13) SUPERVISOR LAVAGNINO [23-00147](#)

Adopt a Resolution of Commendation honoring Custody Lieutenant “Bill” Wolf upon his retirement from the Sheriff’s Office after over 27 years of faithful and distinguished service to the citizens of Santa Barbara County.

A motion was made by Supervisor Nelson, seconded by Supervisor Hartmann, that this matter be adopted.

RESOLUTION NO. 23-27

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-14) SUPERVISOR WILLIAMS

[23-00148](#)

Adopt a Resolution of Commendation honoring Chelsea Lenzi of the County Executive Office as the February 2023 Employee of the Month in Santa Barbara County.

A motion was made by Supervisor Nelson, seconded by Supervisor Hartmann, that this matter be adopted.

RESOLUTION NO. 23-28

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-15) SUPERVISOR NELSON

[23-00153](#)

Adopt a Resolution of Commendation honoring Cathy Fisher upon her retirement as Agriculture Commissioner/Director of Weights and Measures after over 12 years of faithful and dedicated service to the citizens of Santa Barbara County.

A motion was made by Supervisor Nelson, seconded by Supervisor Hartmann, that this matter be adopted.

RESOLUTION NO. 23-29

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

[23-00002](#)

Public 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) (23-00002)

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

No requests to speak.

2) GENERAL SERVICES DEPARTMENT

23-00154

HEARING - Consider recommendations regarding a Zero-Emission Vehicle Policy Adoption and Electric Vehicle Program Update, as follows: (EST. TIME: 30 MIN.)

a) Receive and file the update on the County’s transition from internal combustion gasoline engine light duty vehicles to electric vehicles in the County fleet and the associated charging infrastructure;

b) Approve the Zero-Emission Vehicle Policy; and

c) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(2) and 15378(b)(5) because it consists of government administrative activities, including general policy or procedure making, that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 9:59 AM - 10:43 AM (44 MIN.)

Received and filed staff presentation and conducted a public hearing.

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

a) Received and filed; and

b) and c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

3) PLANNING AND DEVELOPMENT DEPARTMENT

[23-00151](#)

HEARING - Consider recommendations regarding the Housing Element Update - Goals, Policies and Programs, as follows: (EST. TIME: 1 HR. 30 MIN.)

a) Receive and file a report from Planning and Development Department (P&D) staff regarding the proposed sixth Cycle Housing Element Goals, Policies and Programs;

b) Provide initial direction to staff regarding any changes that the Board would like to make to the proposed Goals, Policies and Programs; and

c) Determine that the Board's actions to receive this report and provide initial direction to staff is not a project as defined in the California Environmental Quality Act (CEQA) Guidelines Sections 15060(c)(3) and 15378(b)(5) and are not subject to environmental review.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:53 AM - 2:00 PM (3 HR. 7 MIN.)

Received and filed staff presentation and conducted a public hearing.

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

a) Received and filed;

b) Provided staff with the following direction: and;

Create a new program in Chapter 5 for each of the following actions or, where appropriate, add each of the following actions to an existing program:

- Revise Goal #1 to include “promote livable communities.”;
- Add local preference reference to Goal 3 or Goal 6, or add a new policy;
- Increase the number of projected accessory dwelling units from 100 to 150 units per year in Program 10;
- Add stormwater capture, reuse, and groundwater recharge to the actions in Program 14, Water and Sewer Services;
- Remove action regarding the Laguna Sanitation District’s groundwater recharge project in Program 14;
- Add information to Program 14 regarding water purveyors in the North County (e.g., Golden State and City of Santa Maria);
- Add “county employee housing” to the scope of the workforce housing study in Program 23, Workforce Housing Study;
- Add an action to explore and create incentives for the development of rental housing;
- Add an action to study options for long-term funding to encourage and help finance affordable housing (e.g., vacancy tax, short-term rental tax, real estate transfer tax for higher end home, and bonds);
- Add an action to study options for the preservation of mobile home parks, including evaluating problems with current standards in the County code;
- Investigate and consider a program to prepare a bi-annual report that reviews the status of the sites inventory.;
- Add text to the Housing Element Update that encourages the creation of jobs near existing housing stock;
- Acknowledge the need for public transit services near high-density residential development; and

c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

Adjourned at 2:01 PM

Adjourned to

Tuesday, February 28, 2023

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, February 14, 2023 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 16, 2023, at 5:00 PM and on Saturday, February 18, 2023, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>