

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Das Williams
Second District - Gregg Hart, Chair
Third District - Joan Hartmann
Fourth District - Peter Adam, Vice Chair
Fifth District - Steve Lavagnino

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, February 25, 2020

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 Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Pledge of Allegiance

Approval of Minutes of the February 11, 2020 Meeting

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

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

County Executive Officer's Report

[20-00001](#)

The County Executive Officer's Report will include, but not be limited to, a brief update on the Coronavirus Disease 2019 (COVID-19) and Santa Barbara County's preparations.

No report from the County Executive Officer.

Received a Brief Disaster Preparedness Presentation: Bucket Brigade

12:00 P.M. Recessed to Closed Session

Closed Session

20-00002

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

Sobhani Group, LLC v. County of Santa Barbara, Santa Barbara County Superior Court, case number 18CV05413.

County of Santa Barbara v. Rosser International, Inc., Santa Barbara County Superior Court, case number 19CV03608.

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

Significant exposure to civil litigation: 2 cases.

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
(Paragraph (4) of subdivision (d) of Government Code section 54956.9)

Deciding whether to initiate civil litigation: 1 case.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code section 54956.8)

Property: Assessor's Parcel Numbers 105-020-060, 105-020-061, 105-020-062, 105-020-063, 105-020-064, and 105-020-068, between Southpoint Estates and Clark Avenue/ Old Town Orcutt; and 105-020-041, at 775 E. Clark Ave, Orcutt (Fourth Supervisorial District). Agency negotiator: General Services Director Janette D. Pell. Negotiating party: Loren Gasser, for Orcutt Area Seniors In Service, Inc. Under negotiation: price and terms of payment.

CONFERENCE WITH LABOR NEGOTIATORS
(Subdivision (a) of Government Code section 54957.6)

Employee organizations: Deputy District Attorneys Association; Engineers and Technicians Association; Santa Barbara County Deputy Sheriffs' Association. Agency-designated representatives: County Executive Officer Mona Miyasato and Human Resources Director Maria Elena de Guevara.

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

In the Matter of the Grievance Concerning Mary Jornales, Engineering Technician Specialist, Department of Public Works, and the County of Santa Barbara, California State Mediation and Conciliation Service, case number ARB-18-0159.

Report from Closed Session

In the Matter of the Grievance Concerning Mary Jornales, Engineering Technician Specialist, Department of Public Works, and the County of Santa Barbara, California State Mediation and Conciliation Service, case number ARB-18-0159:

A motion was made by Supervisor Adam, seconded by Supervisor Williams, to approve a request from Attorney Brooke Storm, representing Mary Jornales, to continue this item to March 10, 2020. The motion carried by the following vote:

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

A motion was made by Supervisor Adam, seconded by Supervisor Williams to approve a recommendation from County Counsel to extend the 40-day deadline that otherwise would expire on March 3, 2020 until March 10, 2020. The motion carried by the following vote:

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

No further 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.

Resolutions to be Presented

A-1) SUPERVISOR WILLIAMS [20-00146](#)

Adopt a Resolution of Commendation honoring Debra Beach upon her retirement from the Human Resources Department after over 36 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 20-26

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

A-2) SUPERVISOR LAVAGNINO [20-00145](#)

Adopt a Resolution of Commendation honoring Supervising Deputy District Attorney Brandon Jebens for his outstanding and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 20-27

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

A-3) SUPERVISOR LAVAGNINO[20-00147](#)

Adopt a Resolution proclaiming March 7, 2020 as Arbor Day in Santa Barbara County.

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

RESOLUTION NO. 20-28

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

Administrative ItemsA-4) AUDITOR-CONTROLLER[20-00151](#)

Consider recommendations regarding approval of a contract with Eide Bailly, LLP for the County's Annual Financial Audits, as follows:

a) Approve, ratify and authorize the Chair to execute the contract with Eide Bailly, LLP (not a local vendor) in the amount of \$145,000.00 to perform the following audit services for the Fiscal Year 2019-2020 with options to renew for Fiscal Years 2020-2021 at a cost of \$145,000.00 and 2021-2022 for a cost of \$145,000.00:

- i) The annual Financial Audit for the County;
- ii) The Single Audit;
- iii) The First 5 Commission's annual Financial Audit; and
- iv) The annual Treasury Financial and Compliance audits;

b) Authorize the Auditor-Controller to approve change orders for up to two additional Single Audit Major Programs of \$6,000.00 each, if identified, that exceed the six included in the Single Audit base amount for a total contract amount not to exceed \$157,000.00; and

c) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378(b)(4), because they are government fiscal activities which do not involve commitment to any specific project which may result in potentially significant physical impact on the environment.

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

- a) i) through iv) Approved, ratified and authorized; Chair to execute;**
- b) Authorized; and**
- c) Approved.**

The motion carried by the following vote:

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

A-5) BEHAVIORAL WELLNESS

20-00136

Consider recommendations regarding Behavioral Wellness Personnel Resolutions for Fiscal Year (FY) 2019-2020 to add one Administrative Professional Position in the Administration Office and Exempt the Administrative Professional Position in the Administration Office from the Civil Service System, as follows:

- a) Adopt a Salary Resolution, effective February 24, 2020, to allocate one (1.0 FTE) Administrative Professional legal position to the Department of Behavioral Wellness (BeWell) by amending the Salary Resolution;
- b) Adopt the At-Will Resolution exempting said Administrative Professional position from the County's civil service system by designating it as at-will; and
- c) Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project which may result in potential physical impacts on the environment, and 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 Williams, seconded by Supervisor Hartmann, that this matter be acted on as follows:

- a) Adopted;**

RESOLUTION NO. 20-29

- b) Adopted; and**

RESOLUTION NO. 20-30

- c) Approved.**

The motion carried by the following vote:

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

A-6) BEHAVIORAL WELLNESS[20-00139](#)

Consider recommendations regarding the adoption of a Resolution in Support of a State Waiver from the Institutions of Mental Disease (IMD) Exclusion, as follows:

- a) Adopt a Resolution urging the State to apply for a waiver from the IMD Exclusion which would allow federal Medicaid funding be used to cover services provided in facilities, including residential treatment facilities, with more than 16 beds, to individuals between ages 21 to under age 65 who suffer from severe mental illness;
- b) Authorize and direct the Director of Behavioral Wellness, or designee, to send the Resolution to Governor Gavin Newsom and the California Department of Health Care Services (DHCS); and
- c) Determine that the recommended action is not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(5), finding that the action is the 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.

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

a) Adopted;

RESOLUTION NO. 20-31

b) Authorized and directed; and

c) Approved.

The motion carried by the following vote:

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

A-7) BEHAVIORAL WELLNESS[20-00141](#)

Consider recommendations regarding an Amendment with California Mental Health Services Authority (CalMHSA) to extend the Inter-Member Transfer Participation Agreement, as follows:

- a) Approve, ratify, and authorize the Director of Behavioral Wellness to execute an amendment to the Memorandum of Understanding with CalMHSA, which would extend the Inter-Member Transfer Program Participation Agreement on behalf of the County for one additional year with an administrative and operations fee of \$2,984.45 for the period July 1, 2019 through June 30, 2020; and

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

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

- a) Approved, ratified and authorized; and**
- b) Approved.**

The motion carried by the following vote:

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

A-8) COUNTY EXECUTIVE OFFICE [20-00140](#)

Approve Budget Revision Requests. (4/5 Vote Required)

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

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

A-9) FIRE [20-00128](#)

Consider recommendations regarding the acceptance of a Non-Cash Donation of \$47,763.00 from the Santa Barbara Firefighters Alliance to the Santa Barbara County Fire Department Peer Support Team, as follows: (4/5 Vote Required)

- a) Authorize the Fire Department to accept a non-cash donation of \$47,763.00, from the Santa Barbara Firefighters Alliance, a non-profit organization;
- b) Approve Budget Revision Request No. 006788; and
- c) 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 15378(b)(4), finding that the actions are the creation of a governmental funding mechanism or other government fiscal activity, 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 Williams, seconded by Supervisor Hartmann, that this matter be acted on as follows:

a) Authorized; and

b) and c) Approved.

The motion carried by the following vote:

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

A-10) GENERAL SERVICES

20-00130

Consider recommendations regarding a Professional Services Agreement with Kitchell/CEM, Inc., as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute Amendment No. 2 to the Contract with Kitchell/CEM, Inc. of San Luis Obispo, CA, which will provide for additional Consulting and Project Management Services by increasing the maximum compensation limit from \$275,000.00 to \$600,000.00 (an increase of \$325,000.00) and extending the term of the original agreement from ending on June 30, 2020 to ending on June 30, 2021;

b) Approve Budget Revision Request No. 0006786; and

c) Find that the recommended action is not a project under the California Environmental Quality Act (CEQA) pursuant to sections 15378(b)(4) and 15378(b)(5) of the CEQA Guidelines, because they consist of administrative and fiscal activities of government that will not result in direct or indirect physical changes in the environment.

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

a) Approved and authorized; Chair to execute; and

b) and c) Approved.

The motion carried by the following vote:

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

A-11) HUMAN RESOURCES

20-00135

Consider recommendations regarding modifications of the Deputy Sheriffs' Association (DSA) Terms and Conditions of Employment, as follows:

a) Approve the side letter agreement to modify terms and conditions of sections of the Memorandum of Understanding (MOU) between the DSA and the County related to medical and dental coverage, overtime, and uniform allowance; and

b) Determine that the above actions are not a “project” and are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5), because they are organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment.

A motion was made by Supervisor Williams, 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 Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-12) PUBLIC HEALTH

20-00138

Consider recommendations regarding Emergency Animal Services Cache Acceptance from the California Veterinary Medical Foundation, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute the Emergency Animal Supply Deposit Terms and Conditions accepting a container of emergency animal sheltering supplies at an estimated value of \$9,600.00 from the California Veterinary Medical Foundation to be used for animal sheltering and medical treatment during disasters response in Santa Barbara County;

b) Approve Budget Revision Request No. 0006796 for the value of \$9,600.00 for Emergency Cache Animal Sheltering Supplies; and

c) Determine that these activities are 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 effect on the environment.

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

a) Approved and authorized; Chair to execute;

b) and c) Approved.

The motion carried by the following vote:

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

A-13) PUBLIC WORKS20-00129

Consider recommendations regarding Construction of Project No. 820757 Pellham Drive Road Rehabilitation and 820758 Steele Street and Ballard Canyon Road Rehabilitation, Third District, as follows:

a) Approve specifications for County Project No. 820757 Pellham Drive Road Rehabilitation; and County Project No. 820758 Steele Street and Ballard Canyon Road Rehabilitation to mill, repave, and stripe approximately 2 lane miles in the Third District, on file in the Public Works Department office;

b) Award the construction contract for County Project No. 820757 in the amount of \$295,224.50 to the lowest responsible bidder, Souza Construction, Inc (a tri-county vendor), 4027 Santa Fe Road, San Luis Obispo, CA 93403, subject to the provision of documents and certifications, as set forth in the specifications applicable to the project, as required under California Law;

c) Approve and authorize the Director of Public Works or designee, to approve change orders for a contingency amount up to \$27,761.23 and supplemental items of \$10,000.00 for the Pellham Drive Pavement Rehabilitation Project, for a total not to exceed authorization of \$332,985.73;

d) Award the construction contract for County Project No. 820758 in the amount of \$190,880.00 to the lowest responsible bidder, CalPortland Construction, Inc., (a local vendor), 1625 E. Donovan Road, Santa Maria, CA 93454, subject to the provision of documents and certifications, as set forth in the specifications applicable to the project, as required under California Law;

e) Approve and authorize the Director of Public Works or designee to approve change orders for a contingency amount up to \$20,316.80 and supplemental items of \$12,288.00 for the Steele Street and Ballard Canyon Road Pavement Rehabilitation Project, for a total not to exceed authorization of \$223,484.80;

f) Approve and authorize the Chair to execute the construction contracts, which has been reviewed and approved by County Counsel, Auditor-Controller and Risk Manager, or their authorized representatives; and

g) Find that Project No. 820757 Pellham Road Rehabilitation and Project No. 820758 Steele Street and Ballard Canyon Road Rehabilitation are exempt from the provisions of the California Environmental Quality Act pursuant to 14 CCR 15301(c) (as the proposed project(s) consists of the operation, repair, maintenance, or minor alteration of existing public or private 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 approve the filing of a Notice of Exemption on that basis.

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

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

The motion carried by the following vote:

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

A-14) PUBLIC WORKS

[20-00131](#)

Consider recommendations regarding consent to Assignment of Drake Haglan and Associates Contracts (BC17246; BC19387; BC19184; CN19770) to Dewberry Engineers, Inc. | Drake Haglan, as follows:

- a) Approve, ratify, and authorize the Chair to execute the Joint Request for Consent to Assignment by Drake Haglan and Associates and Dewberry Engineers, Inc. | Drake Haglan, which would assign the existing Agreements between the County and Drake Haglan and Associates to Dewberry Engineers, Inc. | Drake Haglan including all rights and obligations contained therein; and
- b) Determine the above actions are not a project under the California Environmental Quality Act guidelines pursuant to Section 15378(b)(5) because it consists 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 Williams, seconded by Supervisor Hartmann, that this matter be acted on as follows:

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

The motion carried by the following vote:

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

A-15) PUBLIC WORKS[20-00132](#)

Consider recommendations regarding Amendment No. 1 to the Professional Services Contract with 22nd Century Technologies, Inc., of San Jose, California (BC-19186), to Provide On-Call Casual Labor, Second and Third Districts, as follows:

a) Approve, ratify, and authorize the Chair to execute Amendment No. 1 to Agreement BC19186 with 22nd Century Technologies, Inc. to provide On-Call Casual Labor at County operated Resource Recovery and Waste Management facilities in an amount of \$300,000.00, increasing the total Agreement amount from \$600,000.00 to \$900,000.00, and extending the term of the Agreement from December 31, 2019 to December 31, 2020; and

b) Determine that the contract amendment is for the continued operation and maintenance of the existing County-operated Resource Recovery and Waste Management facilities involving negligible or no expansion of use beyond that which presently exists, and that the proposed action is therefore exempt from the California Environmental Quality Act pursuant to 14 CCR 15301.

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

a) Approved, ratified and authorized; Chair to execute;

b) Approved.

The motion carried by the following vote:

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

A-16) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY[20-00144](#)

Consider recommendations regarding Groundwater Sustainability Agency Withdrawal in Fringe Areas, Second, Third, Fourth, and Fifth Districts, as follows:

Acting as the Board of Directors, Water Agency:

a) Direct staff to submit a letter to the California Department of Water Resources withdrawing the Groundwater Sustainability Agency in the Santa Maria Groundwater Basin Fringe Areas;

b) Direct staff to submit a letter to the California Department of Water Resources withdrawing the Groundwater Sustainability Agency in the Goleta Groundwater Basin Fringe Areas; and

c) Determine that the proposed actions are not a project under the California Environmental Quality Act, pursuant to Guidelines Section 15378(b) (5), organization or administrative activities that will not result in a direct or indirect physical change in the environment.

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

Acting as the Board of Directors, Water Agency:

a) and b) Directed; and

c) Approved.

The motion carried by the following vote:

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

A-17) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [20-00137](#)

Consider recommendations regarding Cold Springs Debris Basin Expansion Project, First District, as follows:

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

- a) Approve the Cold Springs Debris Basin Expansion Project (Project) after considering the proposed Final Mitigated Negative Declaration (19NGD-00000-00015) for the Project, including the comments received during the public review process;
- b) Make the California Environmental Quality Act (CEQA) Findings for the Cold Springs Debris Basin Expansion Project;
- c) Adopt the Final Mitigated Negative Declaration (19NGD-00000-00015) for the Cold Springs Debris Basin Expansion Project and adopt the Mitigation Measures with their corresponding monitoring requirements as the Mitigation Monitoring Program for the Project; and
- d) Authorize the Public Works Director to advertise and receive bids for the Cold Springs Debris Basin Expansion Project.

A motion was made by Supervisor Williams, 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;

c) Adopted; and

d) Authorized.

The motion carried by the following vote:

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

A-18) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [20-00142](#)

Consider recommendations regarding Randall Road Debris Basin, San Ysidro, Romero, Cold Springs Debris Basins Modification Projects, First District, as follows:

Acting as the 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 Filippin Engineering (a local vendor) to conduct constructability reviews for the proposed Randall Road Debris Basin, San Ysidro, Romero, and Cold Springs Debris Basin Modification Projects in the amount of \$75,789.00 for the period of February 25, 2020 through June 30, 2021;

b) Approve and authorize the Public Works Director, or designee, to approve agreement amendments within the scope of work in an amount not to exceed \$7,578.90; and

c) Determine that approval of these services contracts is exempt from the provisions of the State California Environmental Quality Act because they involve organization and administrative activities that will not result in direct or indirect charges to the environment pursuant to State Environmental Guidelines Section 15378 (b)(5).

A motion was made by Supervisor Williams, 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 Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-19) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY

20-00143

Consider recommendations regarding Amendment No. 1 to the Agreement for Services of Independent Contractor with GSI Water Solutions, Inc., Third and Fifth Districts, as follows: (4/5 Vote Required)

Acting as the Board of Directors, Water Agency:

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Agreement for Services of Independent Contractor increasing the contract amount by \$208,649.00 to a total not-to-exceed amount of \$1,176,785.00 for consulting services with GSI Water Solutions No. 19-182 (a local vendor), and approve increasing the 10% contingency to \$117,679.00;
- b) Approve Budget Revision Request No. 0006785 to increase appropriations of \$229,514.00 from the Water Agency Fund for Services and Supplies funded by a release of Restricted Purpose of Fund Balance; and
- c) Determine that the proposed actions are not a project under the California Environmental Quality Act, pursuant to Guidelines Section 15378(b)(5), organization or administrative activities that will not result in a direct or indirect physical change in the environment.

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

Acting as the Board of Directors, Water Agency:

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

The motion carried by the following vote:

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

A-20) SHERIFF

[20-00127](#)

Consider recommendations regarding the Surrendered and Abandoned Vessel Exchange (SAVE-19) Grant of \$ 25,000.00, as follows: (4/5 Vote Required)

- a) Accept the award of \$ 25,000.00 from the SAVE-19 Grant from the State of California through September 30, 2021;
- b) Authorize Sheriff Bill Brown to sign the grant document;
- c) Approve Budget Revision Request No. 0006777 to record the grant and expense;
- d) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)94) that the above fiscal activity is not a project subject to CEQA; and
- e) Adopt a Resolution Authorizing the Sheriff to Execute the Grant Agreement.

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

- a) Accepted;**
- b) Authorized;**
- c) and d) Approved; and**
- e) Adopted.**

RESOLUTION NO. 20-32

The motion carried by the following vote:

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

A-21) SHERIFF

[20-00155](#)

Consider recommendations regarding acceptance of California Department of Justice Tobacco Grant funds, as follows: (4/5 Vote Required)

- a) Accept the California Department of Justice Tobacco Grant from the State of California Department of Justice for 2019-2020, 2020-2021, 2021-2022 in the total amount of \$553,029.00 for increased law enforcement services;
- b) Adopt a Resolution authorizing the Sheriff to execute an agreement with the California Department of Justice for the grant;

c) Approve Budget Revision Request No. 0006773 appropriating \$75,000.00 in grant revenue for Fiscal Year (FY) 2019-2020 and corresponding expense; and

d) Determine this action is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15378(b) (4), finding that the action is 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 impact on the environment.

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

a) Accepted;

b) Adopted; and

RESOLUTION NO. 20-33

c) and d) Approved.

The motion carried by the following vote:

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

A-22) TREASURER-TAX COLLECTOR

20-00133

Accept for filing the Fiscal Year 2019-2020 Second Quarter (October through December 2019) report on the Treasurer’s Investment Pool, pursuant to Government Code section 53646(b).

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

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

A-23) TREASURER-TAX COLLECTOR

20-00134

Consider recommendations regarding external Auditor’s Reports on the Treasurer’s Financial Statements and the Treasurer’s Compliance with the Treasury Oversight Committee Provisions Contained in Sections 27130-27137 of the California Government Code, as follows:

- a) Receive and file the Santa Barbara County Treasurer’s Investment Pool Financial Statements with Independent Auditor’s Reports for the Fiscal Year ended June 30, 2019;
- b) Receive and file the Independent Accountant’s Report on the Treasurer’s Compliance with the Treasury Oversight provisions contained in Sections 27130-27137 of the California Government Code for the Fiscal Year ended June 30, 2019; and
- c) Determine that the above action involves government funding mechanisms and/or fiscal activities and is 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 Williams, seconded by Supervisor Hartmann, that this matter be acted on as follows:

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

The motion carried by the following vote:

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

Board of Supervisors

A-24) SUPERVISOR WILLIAMS [20-00121](#)

Approve the reappointment of Gerardo Cornejo to the Carpinteria Cemetery District Board of Trustees, term ending December 31, 2023, First District.

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

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

A-25) SUPERVISOR WILLIAMS [20-00122](#)

Approve the reappointment of Neal Bartlett to the Carpinteria Cemetery District Board of Trustees, term ending December 31, 2023, First District.

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

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

A-26) SUPERVISOR WILLIAMS [20-00123](#)

Approve the reappointment of Randy Graham to the Carpinteria Cemetery District Board of Trustees, term ending December 31, 2022, First District.

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

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

A-27) SUPERVISOR WILLIAMS [20-00124](#)

Approve the reappointment of Fred Lemere to the Carpinteria Cemetery District Board of Trustees, term ending December 31, 2022, First District.

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

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

A-28) SUPERVISOR WILLIAMS [20-00125](#)

Approve the reappointment of David Seehof to the Carpinteria Cemetery District Board of Trustees, term ending December 31, 2022, First District.

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

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

A-29) SUPERVISOR HART [20-00126](#)

Approve the appointment of Lynn Chacon to the Human Services Commission term ending June 30, 2021, Second District.

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

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

A-30) SUPERVISOR ADAM [20-00120](#)

Approve the appointment of Julia Lara to the Behavioral Wellness Commission, term ending December 31, 2020, Fourth District.

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

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

A-31) SUPERVISOR HARTMANN

[20-00156](#)

Approve the appointment of Michael Nicola to the Los Alamos Cemetery District Board of Directors, term ending December 31, 2021, Third District.

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

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

A-32) SUPERVISOR HARTMANN

[20-00157](#)

Approve the appointment of Mary Caldera to the Los Alamos Cemetery District Board of Directors, term ending December 31, 2021, Third District.

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

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

Hearing Requests**A-33) PLANNING AND DEVELOPMENT****20-00148**

Set a hearing to consider recommendations regarding two appeals filed by Busy Bee's Organics, Inc. (Case No. 19APL-00000-00030) and the SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031) of the Planning Commission's November 7, 2019 approval of the Busy Bee's Organics Cannabis Cultivation Project (Case No. 18LUP-00000-00496), Third District, as follows:

(Set a hearing for March 17, 2020. Time estimate: 3 hours)

- a) Deny the appeals, Case Nos. 19APL-00000-00030 and 19APL-00000-00031;
- b) Make the required findings for approval of the Proposed Project including California Environmental Quality Act (CEQA) findings;
- c) Determine that the previously certified Program EIR (17EIR-00000-00003) constitutes adequate environmental review and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162 and 15168 (c)(2); and
- d) Grant de novo approval of the Project, Case No. 18LUP-00000-00496 subject to the conditions of approval; or

Alternatively, if your Board wishes to uphold the Busy Bee Organics, Inc. appeal (Case No. 19APL-00000-00030) and deny the SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031), staff recommends that your Board take the following actions to approve the project as proposed by the Applicant:

- a) Uphold the appeal by Busy Bee Organics, Inc. (Case No. 19APL-00000-00030);
- b) Deny the appeal by SB County Coalition for Responsible Cannabis (Case No. 19APL-00000-00031);
- c) Make the required findings for approval of the Proposed Project including California Environmental Quality Act (CEQA) findings;
- d) Determine that the previously certified Program Environmental Impact Report (17EIR-00000-00003) constitutes adequate environmental review and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162 and 15168 (c)(2); and

e) Grant de novo approval of the Project, Case No. 18LUP-00000-00496 subject to the conditions of approval.

A motion was made by Supervisor Williams, seconded by Supervisor Hartmann, that this matter be set for a hearing, as follows: March 17, 2020 in Santa Maria (EST. 3 HRS.). The motion carried by the following vote:

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

A-34) PLANNING AND DEVELOPMENT

20-00150

HEARING - Consider recommendations regarding the appeal (Case No. 19APL-00000-00036), filed by Scott Rudolf (applicant/appellant), of the County Planning Commission's December 4, 2019, denial of the Santa Barbara West Coast Farms Cannabis Cultivation project (Case No. 19LUP-00000-00064), Third District, as follows: (EST. TIME: 3 HR.)

- a) Deny the Appeal, Case No. 19APL-00000-00036;
- b) Make the required findings, including California Environmental Quality Act (CEQA) findings, for denial of the project, Case No. 19LUP 00000-00064;
- c) Determine that denial of the project is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(5) and State CEQA Guidelines Sections 15061(b)(4) and 15270(a); and
- d) Deny de novo the project, Case No. 19LUP-00000-00064; or

Alternatively, if your Board wishes to uphold the appeal and approve the project, staff recommends that you take the following actions:

- a) Uphold the appeal, Case No. 19APL-00000-00036;
- b) Make the required findings for approval of the project, Case No. 19LUP-00000-00064;
- c) Determine that the previously certified Program Environmental Impact Report (17EIR-00000-00003) constitutes adequate environmental review and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162 and 15168(c)(2); and
- d) Grant de novo approval of the project, Case No. 19LUP-00000-00064, subject to the conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: CONTINUE TO 4/21/2020

Set for a hearing, as follows:

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

A-35) PLANNING AND DEVELOPMENT 20-00149

Set a hearing to consider recommendations regarding the appeal (Case No. 19APL-00000-00032), filed by Blair Pence, of the County Planning Commission’s November 6, 2019 approval of the Santa Rita Valley Ag., Inc. - Cannabis Cultivation project (Case No. 18LUP-00000-00351), Third District, as follows:
(Set a hearing for March 10, 2020. Time estimate: 3 hours)

- a) Deny the appeal, Case No. 19APL-00000-00032;
- b) Make the required findings for approval of the project (Case No. 18LUP-00000-00351), including California Environmental Quality Act (CEQA) findings;
- c) Determine that the previously certified Program Environmental Impact Report (17EIR-00000-00003) constitutes adequate environmental review and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162 and 15168(c)(2); and
- d) Grant de novo approval of the project, Case No. 18LUP-00000-00351, subject to the conditions of approval.

A motion was made by Supervisor Williams, seconded by Supervisor Hartmann, that this matter be set for a hearing, as follows: March 10, 2020 in Santa Barbara (EST. 3 HRS.). The motion carried by the following vote:

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

20-00004

Public Comment 2020

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) (20-00004)

Re: Support of Oasis Development Proposal - Todd Wilson addressed the Board

Re: County Permitting Process - Ed Kalasky addressed the Board

Re: Climate Re-Energizing/Benefits of Herbaculture - Renn Strong addressed the Board

Departmental Agenda
Planning Items and Public Hearings

1) **GENERAL SERVICES**

20-00154

HEARING - Consider recommendations regarding an Electric Vehicle Progress Update and Request for Funding, as follows: (4/5 Vote Required) (EST. TIME: 30 MIN.)

a) Approve the contract with PowerFlex Systems, LLC to supply the County with sixty-eight (68) level two 7.2kw chargers, three DC fast 50kw chargers, software, and electric vehicle controllers for three locations, and to provide ongoing services including access control, billing, reporting, and station management for a term of five years, in exchange for which County will assign to PowerFlex, all Low Carbon Fuel Standard (LCFS) Credits generated by these 71 charging stations, and make a 50% surcharge payment on energy priced above utility rates from end users;

b) Approve the necessary budget revision to increase appropriations within the general fund and authorize funding in the amount of \$698,000.00 for the engineering design and installation of 71 vehicle chargers;

c) Approve the necessary budget revision to increase appropriations within the general fund and authorize funding in the amount of \$52,808.00 for the County's matching contribution to a \$148,029.00 Electric Vehicle Charging Station Infrastructure Program Grant (total project cost including hardware, software, and installation is \$200,837.00) from the Santa Barbara County Air Pollution Control District (APCD), and authorize the acceptance and transfer of the grant funds from APCD, for the purchase and installation of 16 EV chargers at the County's Lompoc Campus;

d) Subject to approval of recommendation c), approve and authorize the Chair to execute an Electric Vehicle Charging Station Infrastructure Program Grant Agreement with the Santa Barbara County Air Pollution Control District (APCD) for acceptance of a grant in the amount of \$148,029.00 for installation of 16 electric vehicle charging stations at the County's Lompoc campus; and

e) Find that the recommended actions are associated with constructing and locating a limited number of new, small facilities or structures and/or installation of small new equipment and facilities in small structures and is therefore exempt from California Environmental Quality Act (CEQA) pursuant to 14 CRR 15303 and direct staff to file a Notice of Exemption based on that finding.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:16 AM - 10:43 AM (27 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) through c) Approved;
- d) Approved and authorized; Chair to execute; and
- e) Approved.

The motion carried by the following vote:

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

Abstained: 1 - Supervisor Adam

2) COUNTY EXECUTIVE OFFICE [20-00152](#)

HEARING - Consider recommendations regarding a Renew '22 Update, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file an update on the Renew '22 initiative;
- b) Provide direction, as appropriate; and
- c) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378 that the above actions are not a project subject to CEQA review.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:58 AM - 11:36 AM (38 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) Received and filed;
- b) No action taken; and
- c) Approved.

The motion carried by the following vote:

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

3) COUNTY EXECUTIVE OFFICE, GENERAL SERVICES

20-00153

HEARING - Consider recommendations regarding KPMG’s Operational and Performance Review of the General Services Department, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file a report by KPMG on an Operational and Performance Review of the General Services Department and department’s implementation timeframe;
- b) Provide direction, as appropriate; and
- c) Find that the proposed actions do not constitute a “Project” within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378(b)(2), as it consists of general policy and procedure making.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 11:37 AM - 12:37 PM (1 HR.)

Received and filed staff presentation and conducted public hearing.

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

- a) Received and filed;**
- b) No action taken; and**
- c) Approved.**

The motion carried by the following vote:

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

Adjourned at 2:37 PM

Adjourned to

Tuesday, March 10, 2020

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 25, 2020 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 27, 2020, at 5:00 PM and on Saturday, February 29, 2020, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>