

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



*First District - Das Williams, Chair*  
*Second District - Janet Wolf*  
*Third District - Joan Hartmann*  
*Fourth District - Peter Adam*  
*Fifth District - Steve Lavagnino, Vice Chair*

*Mona Miyasato, County Executive Officer*

**Action Summary**

**Tuesday, January 30, 2018**

**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](http://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 January 23, 2018 Meeting**

**A motion was made by Supervisor Hartmann, seconded by Supervisor Lavagnino, 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

**18-00050**

**No report from the County Executive Officer.**

**12:00 P.M. .... Recessed to Closed Session**

**Closed Session**

**18-00007**

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Paragraph (1) of subdivision (b) of Government Code section 54957)**

County Executive Officer.

**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) **AUDITOR-CONTROLLER** **18-00069**

Consider recommendations regarding the approval of Amendment No. 2 to the Contract with Brown Armstrong Accountancy Corporation for County's Annual Financial Audits, as follows:

a) Approve and authorize the Chair to execute Amendment No. 2 to the contract with Brown Armstrong Accountancy Corporation (Brown Armstrong) [not a local vendor] in the amount of \$147,000.00 to perform the following audit services, for the Fiscal Year 2017-2018:

- 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; and

b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378(b)(5), 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 Hartmann, seconded by Supervisor Lavagnino, that this matter be Acted on as follows:**

- a) i) through iv) 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-2) AUDITOR-CONTROLLER

18-00077

Consider recommendations regarding Property Assessed Clean Energy (PACE) special assessments for the City of Santa Barbara/California Statewide Communities Development Authority (CSCDA), as follows:

- a) Approve and authorize the Chair to execute the Agreement for Collection of Special Taxes and Special Assessments with CSCDA establishing fees for placement of voluntary residential special assessments on the County tax roll pursuant to Streets and Highways Code section 5898.20(b) and reimbursing County for expenses incurred for annual processing, correction of errors and special reporting requests;
- b) Authorize the Auditor-Controller to place residential special assessments administered by CSCDA on the County tax rolls for the City of Santa Barbara, who has entered into a joint powers agreement with CSCDA, in order to participate and enroll in the CSCDA Open PACE Program which is a residential Property Assessed Clean Energy (PACE) program; and
- c) Find that the proposed actions are 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 are government fiscal, organizational, or administrative activities that will not result in direct or indirect physical changes in the environment.

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

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

**The motion carried by the following vote:**

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

A-3) COUNTY EXECUTIVE OFFICE

18-00078

Consider recommendations regarding the 2020 Census: Local Update of Census Addresses (LUCA), as follows:

- a) Authorize the County to participate in the 2020 Local Update of Census Addresses (LUCA) by using local agency information to update data provided by the U.S. Census Bureau;
- b) Designate Dennis Bozanich, Deputy County Administrative Officer to be the LUCA Liaison;
- c) Approve and authorize the Chair to execute the LUCA registration form; and
- d) Determine the above actions are not a “Project” within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA Guidelines, because the actions consist of organizational or administrative activities of the government that will not result in direct or indirect physical changes in the environment.

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

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

**The motion carried by the following vote:**

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

A-4) COUNTY EXECUTIVE OFFICE18-00042

Consider recommendations regarding Assessment Appeals Case Management, as follows:

- a) Receive and file a status report on Property Tax Assessment Appeals and the disposition of existing “complex” cases; and
- b) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5) that the above action is not a project subject to CEQA review, because the action consists of organizational and administrative activities of governments that will not result in direct or indirect physical changes in the environment.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Lavagnino, 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-5) HUMAN RESOURCES18-00076

Consider recommendations regarding a Resolution adopting an organ and bone marrow donor policy, as follows:

- a) Find that granting paid leave to employees who serve as organ or bone marrow donors is in the best interest of the County, and does not amount to a gift of public funds, because it mirrors the requirements in State law for State employees and private businesses with 15 or more employees;
- b) Adopt a Resolution which adopts an organ and bone marrow leave policy which grants up to 240 hours of paid leave for an employee donating a kidney after using 80 hours of accrued sick leave or vacation, and up to 40 hours of paid leave for an employee donating bone marrow after using 40 hours of accrued sick leave or vacation; and
- c) 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 Hartmann, seconded by Supervisor Lavagnino, that this matter be Acted on as follows:**

**a) Approved;**

**b) Adopted.**

**RESOLUTION NO. 18-17**

**c) Approved.**

**The motion carried by the following vote:**

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

**A-6) PUBLIC WORKS**

**18-00070**

Consider recommendations regarding a Statement of Final Quantities for storm damage repair on Stowell Road Hydraulic Ditch Stabilization, County Project No. 862391, Fifth District, as follows:

a) Approve and authorize the Chair to execute Statement of Final Quantities for the 17STM1 storm damage repair on Stowell Road Hydraulic Ditch Stabilization for work performed and materials supplied by J.F. Will Company, Inc., (a local vendor), 2640 Industrial Parkway, Santa Maria, CA 93455, in the amount of \$464,199.04; and

b) Determine that the project was found by your Board to be exempt from the provisions of the California Environmental Quality Act pursuant State Guidelines Section 15301(c) on May 16, 2017, a Notice of Exemption was filed on that basis, and the proposed action is within the scope of the Notice of Exemption.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Lavagnino, 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-7) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT 18-00021

Consider recommendations regarding Lower Mission Creek Flood Control Project Reaches 3 and 4, First District, as follows:

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

a) Approve and authorize the Chair to execute Amendment No. 1 to the Agreement for Services of Independent Contractor with Bengal Engineering (a local vendor) to provide engineering design services for the Lower Mission Creek Flood Control Project, Reaches 3 and 4 (BC 17-117), increasing the contract amount of \$362,575.00 to a not-to-exceed amount of \$434,545.00, an increase of \$71,970.00;

b) Authorize an increase of \$7,197.00 to the contingency amount of \$36,257.50 to a total contingency amount to \$43,454.50 with Bengal Engineering for additional work that may be needed to complete work for the project; and

c) Find that pursuant to the California Environmental Quality Act Guidelines section 15162, no substantial changes are proposed, there are no substantial changes in circumstances and no new information of substantial importance has come to light regarding environmental effects of the project or feasibility of mitigation measures and, therefore, this action is within the scope of the project covered by the Environmental Impact Report/Environmental Impact Statement for the Lower Mission Creek Flood Control Project as well as the Findings, and Statement of Overriding Considerations approved and adopted by the Board on May 10, 2011, and therefore, no subsequent environmental document is required.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Lavagnino, that this matter be Continued, as follows: February 27, 2018 in Santa Barbara. The motion carried by the following vote:**

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



## Hearing Requests

A-8) PUBLIC WORKS

[18-00072](#)

Set a hearing to consider recommendations regarding amending Chapters 24A and 29-24 of the Santa Barbara County Code relating to fines and penalties for violations regarding discharge into Laguna County Sanitation District Treatment System, Third, Fourth and Fifth Districts, as follows: (Set a hearing for February 27, 2018. Time estimate: 15 minutes)

a) Consider the introduction (first reading) of Ordinances (2) amending Chapters 24A and 29-24 of the Santa Barbara County Code relating to administrative fines and penalties for violations to Chapter 29, Article III - Discharge into Laguna County Sanitation District Treatment System;

b) Continue to the Administrative Agenda of March 13, 2018 to consider recommendations, as follows:

i) Consider adoption (second reading) of Ordinances (2) amending Chapters 24A and 29-24 of the Santa Barbara County Code relating to administrative fines and penalties for violations to Chapter 29, Article III - Discharge into Laguna County Sanitation District Treatment System;

ii) Read the title of the Ordinances (2) and waive the reading of the Ordinances in full; and

iii) Find that the proposed Ordinance amendments are for the protection of the environment and does not involve construction activities or relaxation of standards and is therefore exempt from the California Environmental Quality Act pursuant to 14 CCR 15308 (Actions by Regulatory Agencies for the Protection of the Environment) and approve the filing of a Notice of Exemption on that basis.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Lavagnino, that this matter be Set for a hearing, as follows: February 27, 2018 in Santa Barbara (EST. TIME; 15 MIN.). The motion carried by the following vote:**

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

**Honorary Resolutions**

A-9) SUPERVISOR WOLF [18-00071](#)

Adopt a Resolution of Commendation honoring Dawn Hanna-Coles upon her retirement from the Department of Social Services after over 35 years of service to Santa Barbara County.

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

**RESOLUTION NO. 18-18**

**The motion carried by the following vote:**

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

A-10) SUPERVISOR WOLF [18-00073](#)

Adopt a Resolution of Commendation honoring Lourdes Kraft upon her retirement from the Social Services Department after over 34 years of service to the community of Santa Barbara County.

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

**RESOLUTION NO. 18-19**

**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-11) SUPERVISOR WILLIAMS, SUPERVISOR HARTMANN [18-00074](#)

Adopt a Resolution of Commendation honoring LuAnn Miller upon her retirement from the Isla Vista Youth Projects after over 33 years of extraordinarily distinguished and consequential service to the Children and Families of the County of Santa Barbara.

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

**RESOLUTION NO. 18-20**

**The motion carried by the following vote:**

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

A-12) SUPERVISOR WILLIAMS [18-00075](#)

Adopt a Resolution of Commendation honoring Ruthie Page and Barbara Zamora of the Auditor-Controller’s Department as the January 2018 Employees of the Month in Santa Barbara County.

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

**RESOLUTION NO. 18-21**

**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, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

18-00079

Consider recommendations regarding Amendment No. 1 to the Agreements to Provide Trucking and On-Call Maintenance Services, as follows:

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

a) Approve and authorize the Public Works Director or his designee to execute amendments increasing the contract amount by \$500,000.00 to an amount of not-to-exceed of \$800,000.00 for trucking services with the following contractors:

- i) Bob's Backhoe and Trucking (a local vendor); and
- ii) RLF Trucking and Grading Corp (a local vendor);

b) Approve and authorize the Public Works Director or his designee to execute amendments increasing the contract amount by \$500,000.00 to a not-to-exceed of \$850,000.00 for on-call maintenance and protection services with the following contractors:

- i) Bob's Backhoe and Trucking (a local vendor);
- ii) Lash Construction, Inc. (a local vendor); and
- iii) Granite Construction, Inc. (a local vendor); 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 Hartmann, seconded by Supervisor Lavagnino, that this matter be Acted on as follows:**

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

**a) i) and ii) Approved and authorized, Chair to execute;**

**b) i) through iii) Approved and authorized; and**

**c) 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-14) SUPERVISOR WILLIAMS, SUPERVISOR HARTMANN

[18-00093](#)

Consider recommendations regarding a Resolution opposing new offshore oil leases in federal waters off of the California Coast, as follows:

a) Consider adopting a Resolution opposing new offshore oil leasing off the coast of California as proposed in the Draft Proposed Five-Year Outer Continental Shelf Leasing Program for 2019 through 2024 by the Bureau of Ocean Energy Management (BOEM) and referenced in Federal Register Volume 83, Number 5 (Monday, January 8, 2018) Notices, Pages 829-834, FR Doc No: 2018-00083; and

b) Determine that the 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)(5), finding that the project is an organizational or administrative activity of governments that will not result in direct or indirect physical changes in the environment, and direct staff to file a Notice of Exemption.

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

**a) Adopted; and**

**RESOLUTION NO. 18-22**

**b) Approved.**

**The motion carried by the following vote:**

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

**Noes:** 2 - 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) (18-00001)*

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

**Re: Homeless Issues in Santa Barbara - Nancy McCradie and Bob Hansen addressed the Board.**

**Re: Debris removal Process Related to the Thomas Flood Emergency - Andy Caldwell addressed the Board.**

**Re: Ongoing Court Proceeding / Abuse of Judicial Discretion - Doug Weinstein and Michael Warnken addressed the Board.**

**Re: Homeless Issues / Public Health Education - Geof Bard addressed the Board.**

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

1) **PLANNING AND DEVELOPMENT** **18-00028**

HEARING - Consider the adoption of the Montecito Architectural Guidelines and Development Standards Limited Update, Phase II, First District, as follows:

- a) Make the findings for approval, including California Environmental Quality Act (CEQA) findings;
- b) Determine that the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15265;
- c) Adopt a Resolution amending the Montecito Architectural Guidelines and Development Standards;
- d) Adopt an Ordinance amending the Montecito Land Use and Development Code (MLUDC) (Case No. 17ORD-00000-00011), Section 35-2 of Chapter 35, Zoning, of the Santa Barbara County Code;
- e) Adopt an Ordinance amending the Coastal Zoning Ordinance (CZO) (Case No. 17ORD-00000-00012), of Chapter 35, Zoning, of the Santa Barbara County Code; and
- f) Adopt a Resolution authorizing staff to submit the amendments to the Santa Barbara County Local Coastal Program to the California Coastal Commission for review and certification.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: CONTINUE TO 2/27/2018

**A motion was made by Supervisor Hartmann, seconded by Supervisor Lavagnino, that this matter be Continued, as follows: February 27, 2018 in Santa Barbara. The motion carried by the following vote:**

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

2) PLANNING AND DEVELOPMENT18-00027

HEARING - Consider recommendations regarding the O'Neil Residence, Variance, General Plan Amendment and Rezone, Case No's: 08GPA-00000-00007, 08RZN-00000-00006, 12VAR-00000-00012, and 08CDH-00000-00040, Assessor's Parcel Number (APN) 005-250-001, located at 2551 Wallace Avenue in the Summerland area, First District, as follows: (EST. TIME: 1 HR.)

Hearing on the request of Patsy Price, agent for the owner, Jeffery O'Neil to consider the following:

- a) Case No. 08GPA-00000-00007, [application filed on July 30, 2008] for a Local Coastal Program Amendment to change the land use designation of the property from Recreation/Open Space to Residential, 4.6 units/acre;
- b) Case No. 08RZN-00000-00006, [application filed on July 30, 2008] for a rezone to change the zoning of the property from REC to 7-R-1;
- c) Case No. 12VAR-00000-00012, [application filed on February 8, 2012] for a Variance from the parking and setback regulations in compliance with Section 35-173 of the Article II Coastal Zoning Ordinance on property zoned 7-R-1, to allow: a north setback of 2 feet 4 inches instead of the required 10 feet; an east setback of 8 feet instead of the required 10 feet; and, zero uncovered parking spaces instead of the required 2 uncovered parking spaces; and
- d) Case No. 08CDH-00000-00040 [application filed on November 12, 2008] for a Coastal Development Permit in compliance with Section 35-169.3 of Article II, the Coastal Zoning Ordinance, on property zoned 7-R-1 to permit demolition of a 1,443 square foot residence and construction of a new 2,218 square foot residence;

On January 30, 2018, staff recommends that your Board deny the project by taking the following actions:

- a) Make the required findings for denial of the project, including California Environmental Quality Act (CEQA) findings;
- b) Determine that denial of the project is exempt from CEQA pursuant to CEQA Guideline Section 15270(b); and
- c) Deny Case No's. 08GPA-00000-00007, 08RZN-00000-00006, 12VAR-00000-00012, and 08CDH-00000-00040;

Alternatively, in order to approve the project, take the following actions:

- a) Make the required findings for approval of the project, including CEQA findings;
- b) Determine that the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15265, 15301(l)(1), and 15303(a);



c) Adopt the Board of Supervisors Resolution, and amend the map titled Summerland Community Plan Land Use Designation Map to amend the land use designation of Assessor’s Parcel Number 005-250-001 from Recreation/Open Space to Residential-4.6 Units Per Acre (Case No. 08GPA-00000-00007);

d) Adopt the Board of Supervisors Zoning Map Amendment Ordinance, included as Attachment-9, and rezone Assessor’s Parcel Number 005-250-001 from REC to 7-R-1 (Case No. 08RZN-00000-00006); and

e) Approve Case No’s. 08GPA-00000-00007, 08RZN-00000-00006, 12VAR-00000-00012, and 08CDH-00000-00040, subject to the conditions.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: CONTINUE TO 2/27/2018

**A motion was made by Supervisor Hartmann, seconded by Supervisor Lavagnino, that this matter be Continued, as follows: February 27, 2018 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

3) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT, GENERAL SERVICES 18-00016

HEARING - Consider recommendations regarding Lower Mission Creek - Reaches 2B-Phase II and 3 (De La Vina Holdings, LLC) (APN: 037-245-018) Fee Acquisitions, Second District, as follows: (4/5 Vote Required) (EST. TIME: 30 MIN.)

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

a) Adopt a Resolution of Necessity to facilitate the acquisition of the fee interest in the real property for Reach 2B-Phase II and Reach 3 - the Lower Mission Creek Project on the property located at 324 De La Vina Street, Santa Barbara, (Property), which is owned by De La Vina Holdings, LLC.;

b) Authorize the Director of Public Works, or designee, to deposit with the Santa Barbara Superior Court a sum equal to the Parcel's appraised fair market value, estimated at \$1,660,000.00, plus related costs and fees, in order to acquire the Property; and

c) Find that pursuant to the California Environmental Quality Act (CEQA) Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the approval of the recommended action and therefore pursuant to CEQA Section 15162, the recommended actions are within the scope of the project covered by the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Lower Mission Creek Flood Control Project as well as the Findings and Statement of Overriding Considerations accepted by the Board of Directors as a Responsible Agency on May 10, 2011, and no new environmental document is required.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

**A motion was made by Supervisor Hartmann, seconded by Supervisor Lavagnino, that this matter be Continued, as follows: February 27, 2018 in Santa Barbara (EST. TIME: 30 MIN.). The motion carried by the following vote:**

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

4) GENERAL SERVICES18-00031

HEARING - Consider recommendations regarding ERG Operating Company, LLC Foxen Petroleum Pipeline (R/P File No.: 003822), Santa Maria, Fifth District, as follows: (EST. TIME: 1 HR.)

a) Consider the application for a Public Pipeline Franchise to ERG Operating Company, LLC and the introduction (first reading) of an Ordinance granting the franchise, as follows:

i) Consider public comments and protests regarding the proposed public pipeline franchise granting, including those written protests received by the Clerk of the Board prior to the public hearing;

ii) Consider the determination made by the Director of the Public Works Department that the occupancy or use of the public places designated in the franchise will not unduly impair or obstruct the County Road System, or unreasonable and unnecessarily obstruct or inconvenience the traveling public;

iii) Determine that it is in the public interest to grant the Public Franchise to ERG Operating Company, LLC for the Foxen Petroleum Pipeline;

iv) Approve the introduction (First Reading) of an Ordinance granting a Public Franchise to ERG Operating Company, LLC for a twenty (20) year term to allow ERG the use of portions of County road right-of-way known as Santa Maria Mesa Road, Andrew Street, Stewart Street, and Foxen Canyon Road, in the unincorporated area of the County of Santa Barbara for the construction, operation and maintenance of the Foxen Petroleum Pipeline, a new common carrier pipeline, to connect ERG's oil production facilities to the existing Sisquoc Pump Station and Pipeline operated by Phillips 66;

v) Read the title of the Ordinance into the record and waive full reading of the Ordinance; and

vi) Continue to the Administrative Agenda of February 6, 2018, to consider recommendations, as follows:

1) Approve the adoption (Second Reading) of the Ordinance granting the Public Pipeline Franchise to ERG to facilitate ERG's Foxen Petroleum Pipeline Project; and

2) Find that pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162, there are no substantial changes proposed in the recommended actions regarding a public franchise for the Foxen Petroleum Pipeline Project that will require major revisions to the Environmental Impact Report (13EIR-00000-00002), certified by the Santa Barbara County Planning Commission on March 11, 2015, on file with the State Clearinghouse as file No. 2013061011; no substantial changes have occurred with respect to the circumstances under which the project is undertaken; and there is no new information of substantial importance that has come to light regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures; and therefore approval of the recommended actions is within the scope of the project covered by the previously certified EIR and no new environmental document is required.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

*HEARING TIME: 11:48 AM - 12:15 PM (27 MIN.)*

**Received and filed staff presentation and conducted public hearing.**

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

**a) Acted on as follows:**

**i) and ii) Considered and approved.**

**iii) Considered and approved.**

**iv) through vi) Read title, waived further reading of the ordinance. Introduction approved; adoption (second reading) set for February 6, 2018 on the administrative agenda in Santa Barbara.**

**1) and 2) set for February 6, 2018 on the administrative agenda in Santa Barbara.**

**The motion carried by the following vote:**

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

5) COUNTY EXECUTIVE OFFICE

18-00094

HEARING - Consider recommendations regarding an Update on Thomas Flood Disaster Recovery Efforts, as follows: (EST. TIME: 20 MIN.)

- a) Receive and file an update on Thomas Flood Disaster Recovery Efforts; and
- b) Provide further direction to staff as appropriate.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

**Received and filed staff presentation and conducted 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; and**
- b) Approved.**

**The motion carried by the following vote:**

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

6) PUBLIC WORKS

18-00095

HEARING - Consider the adoption of a Summary Nuisance Abatement of Storm Emergency Debris from the Thomas Fire within stream channels - Urgency Ordinance amending Article V, Chapter 17 of the Santa Barbara County Code, as follows: (4/5 Vote Required) (EST. TIME: 30 MIN.)

- a) Adopt the Summary Nuisance Abatement of Storm Emergency Debris - Urgency Ordinance, allowing the Director of Public Works to authorize, when it constitutes an immediate threat to life, public health, and safety, actions necessary to enter private property impacted by debris flows from the Thomas Fire to clear sediment, debris or other obstructions within stream channels and within 100 feet of the top of bank of stream channels;
- b) Read the title and waive further reading of the Urgency Ordinance;
- c) Determine that adoption of the Urgency Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15269; and
- d) Waive the Notice of Exemption 6-day posting requirement for good cause pursuant to CEQA Guidelines Section V.D.2.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

**Received and filed staff presentation and conducted public hearing.**

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

**a) and b) Adopted; and**

**ORDINANCE NO. 5020**

**c) and d) Approved.**

**The motion carried by the following vote:**

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

**Adjourned at 12:15 PM**

**Adjourned to**

**Tuesday, February 6, 2018**

**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, January 30, 2018 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 1, 2018, at 5:00 PM and on Saturday, February 3, 2018, at 10:00 AM on CSBTV Channel 20.*

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