

County of Santa Barbara
BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Agenda

Tuesday, March 5, 2019

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.

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

Persons may address the Board of Supervisors in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Betteravia Government Center, Board of Supervisors' Conference Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.

Board Meeting Procedures

The Board of Supervisors is the legislative body for the County of Santa Barbara. Persons are encouraged to attend and testify before the Board on any matter appearing on the agenda. Correspondence to the Board regarding items appearing on the agenda should be directed to the Clerk of the Board, 105 East Anapamu Street, Room 407, Santa Barbara CA 93101. For information regarding the meetings of the Board of Supervisors including specific meeting times contact the Clerk of the Board at (805) 568-2240. Procedures for the conduct of the meetings of the Board of Supervisors can be found in Board Resolutions 09-368 (General) and 91-333 (Land Use).

The schedule of the Board of Supervisors, meeting agendas, supplemental hearing materials and minutes of the Board meetings are available on the Internet at: www.countyofsb.org

Board Meetings are televised live on County of Santa Barbara TV channel 20. For information about obtaining a videotape of a public hearing or a schedule of CSBTV broadcasts please call (805) 568-3427.

Late Distribution and Ex-Parte Communication

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to all or a majority of the members of the Board of Supervisors less than 72 hours prior to that meeting are available for inspection in the Clerk of the Board Office, 105 East Anapamu Street, Room 407, Santa Barbara, CA, at the Office of the Board of Supervisors, Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, CA and on the Internet at: <http://santabarbara.legistar.com/Calendar.aspx#current>. Any written ex-parte communication subject to disclosure by members of the Board of Supervisors may be published online as an attachment to the corresponding item.

Disability Access

The Board of Supervisors Hearing Room in Santa Barbara is located on the Fourth Floor of the County Administration Building, 105 East Anapamu Street. The Hearing Room is wheelchair accessible. Accessible public parking is available behind the County Administration Building and in City Parking Lot #6 located at the corner of Anacapa Street and Anapamu Street.

The Board of Supervisors Hearing Room in Santa Maria is located at the Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria. The Hearing Room is wheelchair accessible. Accessible public parking is available at the Betteravia Government Center.

American Sign Language interpreters, Spanish language interpretation and sound enhancement equipment may be arranged by contacting the Clerk of the Board of Supervisors by 4:00 p.m. on Friday before the Board meeting. For information about these services please contact the Clerk of the Board at (805) 568-2240.

Closed Session

The Board of Supervisors conducts a Closed Session every Tuesday between 12:00 P.M. and 1:00 P.M. and at 7:50 A.M. as necessary. Closed Sessions are not open to the public. Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Actions taken by the Board during Closed Session will be announced during open session (Gov. Code Sections 54957.1(a) & (b), Ralph M. Brown Act). The Closed Session agenda is posted as an addendum to the Board's agenda each Friday in the Office of the Clerk of the Board. For information related to Closed Session announcements please contact County Counsel at (805) 568-2950.

9:00 A.M. Convene to Regular Session

Roll Call

Pledge of Allegiance

Approval of Minutes of the February 26, 2019 Meeting

County Executive Officer's Report

19-00001

12:00 P.M. Recess to Closed Session

Closed Session

[19-00002](#)

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

Mary Dacheff v. County of Santa Barbara, Workers' Compensation Appeals Board case numbers
ADJ8962499, ADJ1685314, and ADJ4580770.

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

Significant exposure to civil litigation: 1 case.

Report from Closed Session

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 HARTMANN [19-00189](#)**

Adopt a Resolution proclaiming March 7, 2019 as Arbor Day in Santa Barbara County.

A-2) SUPERVISOR LAVAGNINO [19-00188](#)

Adopt a Resolution of Commendation honoring Julie Harris as the March 2019 Employee of the Month in Santa Barbara County.

Administrative Items**A-3) AUDITOR-CONTROLLER [19-00183](#)**

Consider recommendations regarding the Auditor-Controller's Report on the Statement of Assets of the Santa Barbara County Treasurer's Investment Pool as of December 31, 2018, as follows:

- a) Receive and file the Auditor-Controller's Report on the Statement of Assets of the Santa Barbara County Treasurer's Investment Pool as of December 31, 2018; 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-4) BEHAVIORAL WELLNESS [19-00184](#)

Consider recommendations regarding a revision to the First Amendment, Fiscal Years (FYs) 2017-2019, to the Department of Health Care Services Contract for Federal Emergency Management Agency (FEMA) Grant Funded Crisis Counseling Services, as follows:

- a) Approve and authorize the Director of Behavioral Wellness or designee to sign a new first amendment replacing certain sections within Agreement No. 17-94705 A01 with the state Department of Health Care Services, to clarify provisions of the multi-year agreement for FEMA funded crisis counseling services, but with no change to the total contract amount through April 30, 2019; and
- b) 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 a potentially significant physical impact on the environment, and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA guidelines.

A-5) BEHAVIORAL WELLNESS[19-00194](#)

Consider recommendations regarding Transitions Mental Health Association AB 2034 Loan, Collateral Substitution, as follows:

- a) Approve the substitution of collateral property currently located at 1418 South Raven Court in Santa Maria, CA (Raven Court) with replacement collateral property located at 613 North Curryer Street in Santa Maria, CA (Curryer Street), which secures an existing loan in the amount of \$125,000.00 of AB 2034 one-time housing grant funds to Transitions Mental Health Association (AB 2034 Loan) to provide affordable housing in the City of Santa Maria with three project units/beds dedicated for a term of thirty (30) years for qualified mentally ill adult clients of the County of Santa Barbara;
- b) Approve and authorize the Chair and the Director of Behavioral Wellness to execute a First Addendum (Addendum) to the Funding Agreement for AB 2034 One Time Housing Funds Between the County of Santa Barbara and Transitions Mental Health Association (Funding Agreement) (together, the Funding Agreement and Addendum);
- c) Approve and accept an Amended and Restated Promissory Note on Curryer St. that reflects the above-described substitution of collateral;
- d) Approve and accept a Deed of Trust on the Curryer St. facility which will serve as substitute collateral securing performance of the Funding Agreement and Addendum and Amended and Restated Promissory Note;
- e) Approve and authorize the Director of Behavioral Wellness to execute a Substitution of Trustee and Deed of Full Reconveyance which will release the deed of trust on the Raven Court property; and
- f) Determine that the recommended actions are not the acceptance and approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), finding that the actions are a creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; and pursuant to CEQA Guidelines Section 15378(b)(5), finding that the actions consist of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

A-6) CLERK-RECORDER-ASSESSOR[19-00185](#)

Consider recommendations regarding Isla Vista Community Services District requesting consolidation with the statewide general election requesting a change to even-numbered year elections for Board of Directors, as follows:

- a) Receive Resolutions 19-2 and 19-3 adopted by the Isla Vista Community Services District requesting that the Board accept the consolidation of the District's elections of governing Board of Directors members with the Statewide General Election in accordance with Elections Code Section 10404(b);
- b) Notify all districts located in the County of the receipt of the Resolutions to consolidate and request input from each district on the effect of the consolidation as required by Elections Code Section 10404(c);
- c) Receive from the elections official an Impact Analysis of the proposed consolidation as required by Elections Code Section 10404(d);
- d) Receive from the elections official a report on the cost-effectiveness of the proposed action (included in the Impact Analysis) as required by Elections Code Section 10404(e);
- e) Within 60 days from the date of submission, approve the Resolution unless it finds that the ballot style, voting equipment, or computer capacity is such that additional elections or materials cannot be handled, in accordance with Elections Code Section 10404(e); and
- f) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines, because they consist of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

A-7) COUNTY EXECUTIVE OFFICE[19-00099](#)

Consider recommendations regarding the termination of the Proclamation of Local Emergency Caused by Drought Conditions, as follows:

- a) Adopt a Resolution terminating the Proclamation of Local Emergency Caused by Drought Conditions that exist in Santa Barbara County pursuant to Government Code Section 8630(c); and
- b) 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-8) PUBLIC HEALTH[19-00186](#)

Consider recommendations regarding a Resolution to amend Indigent Care Program Eligibility Guidelines and Standards, as follows:

- a) Adopt a Resolution to amend Indigent Care Program Eligibility Guidelines and to authorize the Public Health Department (PHD) Director, or designee, to make administrative changes to the Indigent Care Program Eligibility Guidelines as needed to ensure compliance with federal, state and local legislation and to ensure the continued access to health care services for eligible individuals with a medical need; and
- b) Determine that these activities are not a “project” and are exempt from California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(5), as organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

Hearing RequestsA-9) PUBLIC HEALTH[19-00192](#)

Set a hearing to consider recommendations regarding Environmental Health Services Fee Adjustments for Community Health Programs, as follows:
(Set a hearing for March 19, 2019. Time estimate: 30 minutes)

- a) Receive and file a presentation regarding Environmental Health Services’ Fee Schedule Resolutions and Ordinances;
- b) Adopt a Resolution amending fees for Environmental Health Services relating to Food Facilities;
- c) Adopt a Resolution amending fees for Environmental Health Services relating to Swimming Pool Sanitation;
- d) Adopt a Resolution amending fees for Environmental Health Services relating to Onsite Wastewater Treatment Systems, Pumping, Maintenance and Disposal Services and Sewage Violation Inspections;
- e) Adopt a Resolution amending fees for Environmental Health Services relating to Organized Camps and Substandard Housing Complaint Inspections;
- f) Adopt a Resolution amending fees for Environmental Health Services relating to Body Art;
- g) Adopt a Resolution amending fees for Environmental Health Services relating to Public Water Systems (California Safe Drinking Water Act);

- h) Adopt a Resolution amending fees for Environmental Health Services relating to Water Wells and Private Water Systems;
- i) Adopt a Resolution amending fees for Environmental Health Services relating to Land Development Review;
- j) Approve the introduction (First Reading) of an Ordinance amending fees for Environmental Health Services relating to Solid Waste;
- k) Approve the introduction (First Reading) of an Ordinance amending fees for Environmental Health Services relating to Monitoring Wells and Borings;
- l) Read the titles of the above Ordinances amending fees for Environmental Health Services relating to Solid Waste and Monitoring Wells and Borings into the record and waive full reading of these Ordinances;
- m) Find that approval of the recommended actions A through I is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(8)(A) and (B) and CEQA Guidelines Section 15273 because the fees will be used for operating expenses and for the purchase of supplies, equipment and materials and direct staff to file a Notice of Exemption on that basis; and
- n) Continue the hearing on Environmental Health Services' Fee Ordinances to the Administrative Agenda for April 2, 2019 to consider recommendations, as follows:
 - i) Consider and approve the adoption (Second Reading) of an Ordinance amending fees for Environmental Health Services relating to Solid Waste;
 - ii) Consider and approve the adoption (Second Reading) an Ordinance amending fees for Environmental Health Services relating to Monitoring Wells and Borings; and
 - iii) Find that approval of the above recommended actions is exempt from CEQA pursuant to Public Resources Code Section 21080(b)(8)(A) and (B) and CEQA Guidelines Section 15273 because the fees will be used for operating expenses and for the purchase of supplies, equipment and materials and direct staff to file a Notice of Exemption on that basis.

A-10) PUBLIC HEALTH[19-00193](#)

Set a hearing to consider recommendations regarding Ordinances revising the Environmental Health Services' Hazardous Materials Program fees, as follows:

(Set a hearing for March 19, 2019. Time estimate: 30 minutes)

a) Receive and file a presentation regarding Environmental Health Services' Hazardous Materials Program fees;

b) Approve the introduction (First Reading) of an Ordinance amending the Environmental Health Services' Site Mitigation Fee Schedule;

c) Approve the introduction (First Reading) of an Ordinance amending the Environmental Health Services' Certified Unified Program Agency (CUPA) Fee Schedule; repealing the CUPA Fee Schedule from Chapter 15, Fire Prevention, Article V, Section 15-104 and amending Chapter 18C, Section 52 to include language regarding the revised fees;

e) Read the titles of the above Ordinances into the record and waive full reading of these Ordinances;

f) Continue the Hazardous Materials Program Fee Ordinances to the Administrative Agenda for April 2, 2019 to consider recommendations, as follows:

i) Consider and approve the adoption (Second Reading) of the Ordinance amending the Environmental Health Services' Site Mitigation Fee Schedule;

ii) Consider and approve the adoption (Second Reading) of the Ordinance amending the Environmental Health Services' Certified Unified Program Agency (CUPA) Fee Schedule; repealing the CUPA Fee Schedule from Chapter 15, Fire Prevention, Article V, Section 15-104 and amending Chapter 18C, Section 52 to include language regarding the revised fees; and

iii) Find that approval of the above recommended actions is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(8)(A) and (B) and CEQA Guidelines Section 15273 because the fees will be used for operating expenses and for the purchase of supplies, equipment and materials and direct staff to file a Notice of Exemption on that basis.

Approval of Administrative Agenda

Public Comment Period

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period.

THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES.

(Resolution No. 09-368) (19-00004)

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

Departmental Agenda
Planning Items and Public Hearings

1) **TREASURER-TAX COLLECTOR** **19-00191**

HEARING - Consider recommendations regarding the Housing Authority of the County of Santa Barbara Financing of Tax-Exempt Private Activity Bonds for Parkside Garden Apartments, as follows: (EST. TIME: 5 MIN.)

- a) Hold a public hearing in compliance with the Tax Equity and Fiscal Responsibility Act (TEFRA) of 1982 regarding the Housing Authority of the County of Santa Barbara's plan to issue Private Activity Bonds, specifically multifamily housing revenue bonds (Bonds) for Parkside Garden Apartments, and consider public comment;
- b) Adopt a Resolution approving the issuance of multifamily housing revenue bonds for Parkside Garden Apartments by the Housing Authority of the County of Santa Barbara, in an amount not-to-exceed \$8,000,000.00;
- c) Authorize and direct, jointly and severally, the officers of the County to do any and all things and to execute and deliver any and all documents that they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of the Resolution and the financing approved hereby; and
- d) Determine that the above actions involve government funding mechanisms and/or fiscal activities and are not a project under the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(4) of the CEQA Guidelines.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

2) TREASURER-TAX COLLECTOR[19-00190](#)

HEARING - Consider recommendations regarding the Housing Authority of the County of Santa Barbara Financing of Tax-Exempt Private Activity Bonds on Behalf of West Cox Apartments, as follows: (EST. TIME: 5 MIN.)

- a) Hold a public hearing in compliance with the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) regarding the Housing Authority of the County of Santa Barbara's plan to issue Private Activity Bonds, specifically multifamily housing revenue bonds (Bonds) for West Cox Apartments, and consider public comment;
- b) Adopt a Resolution approving the issuance of multifamily housing revenue bonds for West Cox Apartments by the Housing Authority of the County of Santa Barbara, in an amount not-to-exceed \$6,000,000.00;
- c) Authorize and direct, jointly and severally, the officers of the County to do any and all things and to execute and deliver any and all documents that they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of the Resolution and the financing approved hereby; and
- d) Determine that the above actions involve government funding mechanisms and/or fiscal activities and are not a project under the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(4) of the CEQA Guidelines.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) PLANNING AND DEVELOPMENT[18-01004](#)

HEARING - Consider recommendations regarding Findings Requiring Preparation of a Focused Environmental Impact Report (EIR) for the North Fork Ranch Frost Ponds Minor Conditional Use Permit, appeal case number 18APL-00000-00019, filed by Mr. Matt Turrentine of Brodiaea, Inc., the project applicant, of the County Planning Commission's, September 12, 2018, determination that the proposed Final Mitigated Negative Declaration (MND), case number 16NGD-00000-00004 prepared for the North Fork Ranch Frost Ponds project, case number 16CUP-00000-00005, located at 7400 Highway 166, Assessor's Parcel No. 147-010-045, approximately nine miles west of the community of New Cuyama, Fifth District, as follows: (EST. TIME: 15 MIN.)

a) Determine that the Mitigated Negative Declaration, case no. 17NGD-000-00004, is inadequate and make the finding that an EIR is required because there is substantial evidence in the record supporting a fair argument that the project may have a significant effect on the environment;

b) Deny the appeal, case no. 18APL-00000-00019, thereby affirming the Planning Commission's action; and

c) Direct staff to prepare a Focused EIR on issues associated with water use impacts from operation of the frost ponds and associated frost protection system, potential biological resource impacts, and potential flooding impacts to State Route 166.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

ADDENDUM**Departmental Item No. 4) is amended as follows:**

- 4) FIRE 19-00195

HEARING - Consider recommendations regarding the adoption of the San Marcos Pass - Eastern Goleta Valley Mountainous Communities Community Wildfire Protection Plan, as follows: (EST. TIME: 45 MIN.)

a) Consider and adopt, by directing the Chair to sign, the San Marcos Pass - Eastern Goleta Valley Mountainous Communities Community Wildfire Protection Plan; and

b) Determine that adopting the San Marcos Pass - Eastern Goleta Valley Mountainous Communities Community Wildfire Protection Plan is not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) and approve the proposed Notice of Exemption-; and

c) 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: APPROVE

5) PUBLIC HEALTH19-00187

HEARING - Consider recommendations regarding a Report from the Homeless Death Review Team, as follows: (EST. TIME: 40 MIN.)

a) Receive and file a written report from the Homeless Death Review Team on deaths of homeless persons in Santa Barbara County for the period January 1, 2017 through December 31, 2017; and

b) Determine that these above action is not a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA Guidelines, since the action consists of organizational or administrative activities of the government that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

Adjourn toTuesday, March 12, 2019Joseph Centeno Betteravia Government Administration BuildingBoard Hearing Room511 East Lakeside ParkwaySanta MariaChallenges

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, March 5, 2019 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, March 7, 2019, at 5:00 PM and on Saturday, March 9, 2019, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>