

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



*First District - Das Williams, Vice Chair*

*Second District - Janet Wolf*

*Third District - Joan Hartmann, Chair*

*Fourth District - Peter Adam*

*Fifth District - Steve Lavagnino*

*Mona Miyasato, County Executive Officer*

**Action Summary**

**Tuesday, December 5, 2017**

**9:00 AM**

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

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

Live Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: [www.countyofsb.org](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 November 14, 2017 Meeting**

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

**17-00789**

**Prior to the County Executive Officer's Report, Chair Joan Hartmann led the Board of Supervisors and those assembled in the Hearing Room in observing a Moment of Silence for former County Supervisor Joni Gray who passed on November 22, 2017. Supervisor Gray represented the Fourth Supervisorial District for 14 years.**

**Mona Miyasato, the County Executive Officer reported the following:**

**Introduced Santa Barbara County Fire Chief Eric Peterson who provided an update on the Thomas Fire;**

**Introduced Tanja Heitman as the new County Chief Probation Officer;**

**Announced the Winter Holiday Schedule of County Services; and**

**Introduced Tom Reed of Unity Shoppe who provided an update on the Toys for Tots, Unity Shoppe Food Drive and United Way of Northern Santa Barbara and AmeriCorp Sock Drive Holiday Campaigns.**

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

**Closed Session**

**17-00007**

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

Deciding whether to initiate civil litigation: one case.

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

Significant exposure to civil litigation: one case.

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

Employee organizations: all bargaining units, unrepresented employees, managers, and executives.  
Agency-designated representatives: County Executive Officer Mona Miyasato, Human Resources Director Lori Gentles, and Chief of Employee Relations Robert J. MacLeod.

**Report from Closed Session**

**No reportable action taken.**

**Administrative Agenda**

*All matters listed hereunder constitute a consent agenda, and will be acted upon by a single roll call vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board or the public, in which event the matter shall be removed from the Administrative Agenda and considered as a separate item.*

**Administrative Items**

A-1) AGRICULTURAL COMMISSIONER 17-00858

Consider recommendations regarding the Asian Citrus Psyllid (ACP) Bulk Citrus Regulatory Program Agreement No. 17-0474-000-SA with the California Department of Food and Agriculture, as follows:

a) Approve, ratify, and authorize the Chair to execute an agreement with the California Department of Food and Agriculture for support of services related to the Asian Citrus Psyllid (ACP) Bulk Citrus Regulatory Program in the County of Santa Barbara for the period of October 1, 2017 through June 30, 2018 in the amount of \$22,781.12; and

b) Determine that the proposed action involves government funding mechanisms and/or fiscal activities and is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4) and direct staff to file a Notice of Exemption.

**A motion was made by Supervisor Williams, seconded by Supervisor Wolf, 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-2) AUDITOR-CONTROLLER [17-00856](#)

Consider recommendations regarding Single Audit Reports for the Fiscal Year ended June 30, 2017, as follows:

- a) Receive and file the County of Santa Barbara's Single Audit Reports for the Fiscal Year ended June 30, 2017; and
- b) 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 administrative activities of the government that will not result in direct or indirect physical changes in the environment.

**A motion was made by Supervisor Williams, seconded by Supervisor Wolf, 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-3) AUDITOR-CONTROLLER [17-00860](#)

Receive and file the Auditor-Controller's Loss of Public Property Report for the period of July 1, 2016 through June 30, 2017.

**A motion was made by Supervisor Williams, seconded by Supervisor Wolf, that this matter be Received and filed. The motion carried by the following vote:**

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

A-4) AUDITOR-CONTROLLER [17-00861](#)

Consider recommendations regarding an Independent Special Districts Compliance Report, as follows:

- a) Receive and file the Santa Barbara County Independent Special Districts Compliance Report for the completion of annual audits ending Fiscal Year (FY) 2015-2016 and annual budgets for FY 2016-2017; 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 Williams, seconded by Supervisor Wolf, 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) COMMUNICATIONS FOR REFERRAL**

**17-00855**

Lompoc Unified School District - Approve the request of the Lompoc Unified School District to call and give notice of an election to authorize the issuance of school bonds, establishing specifications of the election order and requesting consolidation with other elections occurring on June 5, 2018.

(APPROVE AND REFER TO THE COUNTY CLERK-RECORDER-ASSESSOR)

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

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

**A-6) COMMUNITY SERVICES**

**17-00870**

Approve the appointment of Dave King as the City of Buellton Representative (City appointed April 13, 2017 to a term concurrent with the Countywide Library Agreement) to serve on the Library Advisory Committee for a term of one year, or until discharged at the pleasure of the Board of Supervisors.

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

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

A-7) COMMUNITY SERVICES[17-00871](#)

Approve the appointment of Patricia Kistler as the City of Goleta Representative (City appointed October 3, 2017 to a term concurrent with the Countywide Library Agreement) to serve on the Library Advisory Committee for a term of one year, or until discharged at the pleasure of the Board of Supervisors.

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

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

A-8) COMMUNITY SERVICES[17-00872](#)

Consider recommendations regarding amendments to emPower Funding Agreements, as follows:

a) Approve and authorize the Chair to execute the Fourth Amendment to the Agreement to Deliver the 2013-2014 County of Santa Barbara emPower Energy Efficiency Program (emPower Funding Fourth Amendment) between the County of Santa Barbara and Southern California Gas Company (SoCalGas);

b) Approve and authorize the Chair to execute the Fourth Amendment to the Subrecipient Agreement for the County of San Luis Obispo (SLO Fourth Amendment) between the County of San Luis Obispo and the County of Santa Barbara and the Fourth Amendment to the Subrecipient Agreement for the County of Ventura (VC Fourth Amendment) between the County of Ventura and the County of Santa Barbara;

c) Approve and authorize the Chair to execute the Fifth Amendment to the emPowerSBC Santa Barbara County Residential Energy Improvement Loan Program Energy Improvement Loan Loss Reserve Agreement Amended and Restated (Fifth Amendment to 2014 LLR Agreement) between the County of Santa Barbara and CoastHills Credit Union; and

d) Determine that the above recommended actions are 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)(4), finding that the project 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 physical impact on the environment, and direct staff to file a Notice of Exemption.

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

- a) through 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-9) COUNTY COUNSEL**

**[17-00880](#)**

Consider recommendations regarding Amendment No. 1 to an Agreement for Professional Legal Services with Rutan and Tucker, LLP, as follows: (4/5 Vote Required)

- a) Approve, ratify, and authorize the Chair to execute Amendment No. 1 to the Agreement for Professional Legal Services between the County of Santa Barbara and Rutan and Tucker, LLP, amending the scope of work and increasing the not-to-exceed amount to \$200,000.00; and
- b) Determine that the above action is not a project under the California Environmental quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because it consists of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.

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

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

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

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

**A-10) COUNTY EXECUTIVE OFFICE****17-00873**

Approve Budget Revision Requests (SEE EXHIBIT A POSTED WITH AGENDA). (4/5 Vote Required).

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

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

**A-11) COUNTY EXECUTIVE OFFICE****17-00875**

Consider recommendations regarding Appointments to the CenCal Health Board of Directors, as follows:

- a) Approve the Appointment of Van Do-Reynoso, MPH, PhD, Director of the Public Health Department (Classification-County of Santa Barbara) to the CenCal Health Board of Directors, effective January 1, 2018;
- b) Reappoint the following CenCal Health Board members for a two-year term, effective January 1, 2018 through December 31, 2019;
  - i) Daniel Herlinger, Consumer Classification-Community Business;
  - ii) Kurt Ransohoff, MD, Provider Classification-Physician, Medical Society Representative; and
  - iii) Kerin Mase, Provider Classification-Hospital Administrator-South County; and
- c) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15378(b)(5) since the recommended actions are government administrative 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 Wolf, that this matter be Acted on as follows:**

**a) and b) i) ii) and iii) Approved.**

**c) Approved.**

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

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

A-12) GENERAL SERVICES

17-00882

Consider recommendations regarding a Safe Parking Program on County Property: Sixth Amendment to the License and Service Agreement, File 003506, Second Districts, as follows:

a) Approve and authorize the Chair to execute Sixth Amendment to License and Service Agreement between New Beginnings Counseling Center and the County of Santa Barbara for the Safe Parking Program on County property to: 1) add five designated RV parking spaces at the Employee University parking lot and a portable restroom at a location designated by County Facilities Maintenance manager, which will be at the sole cost of New Beginnings Counseling Center, at the County’s Calle Real Campus and 2) delegate the authority to administer and enforce the program on behalf of the County Board of Supervisors, and to approve and execute any future amendments that are not in conflict with the purpose and use of the program and do not extend the term, to the General Services Director, or designee; and

b) Approve the Notice of Exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15301 - Class 1 consists of the operation, permitting, leasing, licensing, or minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use and direct staff to file the Notice of Exemption.

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

**a) Approved and authorized; Chair to execute; and**

**b) Approved.**

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

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

A-13) GENERAL SERVICES[17-00874](#)

Consider recommendations regarding an Independent Contractor Agreement with Vanir Construction Management, Inc. for Services Associated with the Main Jail, as follows: (4/5 Vote Required)

- a) Approve Budget Revision Request No. 0005460 establishing appropriations of \$334,000.00 in General Services' Capital Fund 0030 for both the Main Jail Implementation Plan project and ADA consulting services;
- b) Approve and authorize the Chair to execute the Agreement with Vanir Construction Management, Inc. for master planning services associated with the Main Jail Implementation Plan in the amount of \$215,000.00;
- c) Approve and authorize the Director of General Services to issue amendments to the above agreement in an amount not to exceed \$21,500.00 for a total up to \$236,500.00;
- d) Approve and authorize the County Purchasing Agent to execute a change order under purchasing contract CN20216 with Vanir in order to continue Americans with Disabilities Act (ADA) consulting through December 31, 2018 and increase the purchasing contract by \$62,500.00 for additional consultation services for a total purchasing contract amount not to exceed \$162,000.00; and
- e) 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 consist of administrative activities of government that will not result in direct or indirect physical changes in the environment, and direct staff to file of a Notice of Exemption on that basis.

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

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

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

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

A-14) PLANNING AND DEVELOPMENT

17-00876

Consider recommendations regarding Solid Rock Group New Agricultural Preserve Contract, Santa Maria Area, Fifth District, as follows:

- a) Approve and authorize the Chair to execute a New Agricultural Preserve Contract 17AGP-00000-00021, a single preserve of 161.44-acres (APN 128-100-014), located approximately 850 yards south of Foxen Canyon Rd. and 850 yards east of Telephone Rd, in the Santa Maria area;
- b) Adopt a Resolution, creating Agricultural Preserve 17AGP-00000-00021;
- c) Authorize recordation by the Clerk of the Board; and
- d) Determine that the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15317.

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

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

**RESOLUTION NO. 17-252**

- c) Authorized; and**
- d) Approved.**

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

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

A-15) PLANNING AND DEVELOPMENT

17-00877

Consider recommendations regarding Submittal of a Local Coastal Program Amendment to the California Coastal Commission, Short-Term Rental (STR) Ordinance, as follows:

a) Adopt a Resolution and direct staff to submit the following amendments to the Santa Barbara County Local Coastal Program (LCP) to the California Coastal Commission (CCC) for review and certification:

i) Ordinance No. 5016 (Case No. 16ORD-00000-00012) that amends Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code by amending Division 1, In General, Division 2, Definitions, Division 4, Zoning Districts, Division 6, Parking Regulations, Division 7, General Regulations, and Division 12, Administration; and

ii) Ordinance No. 5017 (Case No. 17ORD-00000-00008) that amends Article II, the Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code by amending Division 5, Overlay Districts; and

b) Find that the transmittal of this Resolution is an administrative activity of the County which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

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

**a) i) and ii) Adopted.**

**RESOLUTION NO. 17-253**

**b) Approved.**

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

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

A-16) PLANNING AND DEVELOPMENT

17-00878

Consider recommendations regarding Venoco Line 96 de-inventory Project, Emergency Permit Case No. 17EMP-00000-00012, Gaviota Area, Third District, as follows:

- a) Receive and file a report on Emergency Permit 17EMP-00000-00012, which authorized the de-inventory of Venoco’s Line 96 to reduce the risk of an oil spill;
  
- b) Determine that issuance of the Emergency Permit is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15269(c), as this action was necessary to prevent or mitigate an emergency; and
  
- c) Determine that receiving and filing the report is not a project pursuant to CEQA Guidelines section 15378(b)(5), as it is an administrative government activity that will not result in direct or indirect physical changes in the environment.

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

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

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

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

A-17) PUBLIC WORKS

17-00857

Consider recommendations regarding the Annual Public Works Director’s Report and Resolution to Update the Orcutt Transportation Improvement Plan, Third and Fourth Districts, as follows:

- a) Receive and file the Public Works Director’s Report for the Orcutt Transportation Improvement Plan;
- b) Review and approve the estimated costs of the transportation facilities described in the Report, the continued need for these facilities, and the reasonable relationship between the need and the impacts of development for which the fees are charged;
- c) Adopt a Resolution updating the Orcutt Transportation Improvement Plan and finding a reasonable relationship between the need for the public transportation facilities and a continued need for the facilities identified in the Orcutt Community Transportation Improvement Plan; and
- d) Determine that the proposed actions are administrative and other fiscal activities that do not involve commitment to any specific project, and are therefore not a project as defined by State California Environmental Quality Act Guidelines Section 15378, and approve the filing of the Notice of Exemption on that basis.

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

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

**RESOLUTION NO. 17-254**

- d) Approved.**

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

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

A-18) SHERIFF

17-00859

Consider recommendations regarding First and Second Quarter Medical Grievance Oversight Coordinator Reports, as follows:

- a) Receive and file the First and Second quarter reports for 2017 from the Santa Barbara County Jail’s Medical Grievance Oversight Coordinator; and
- b) Determine this action is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15378(b) (5), which 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 Wolf, 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

**Board of Supervisors**

A-19) SUPERVISOR WILLIAMS

17-00884

Approve the reappointment of Susan Keller to the Montecito Planning Commission, term ending January 8, 2020, First District.

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

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

A-20) SUPERVISOR WILLIAMS

[17-00885](#)

Approve the reappointment of J' Amy Brown to the Montecito Planning Commission, term ending January 8, 2020, First District.

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

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

A-21) SUPERVISOR HARTMANN

[17-00865](#)

Approve the appointment of Owen Wright, regular member, to the Central County Board of Architectural Review, term ending December 31, 2020, Third District.

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

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

A-22) SUPERVISOR ADAM

[17-00867](#)

Approve the reappointment of Sharon Byrne to the Behavioral Wellness Commission, term ending January 1, 2021, Fourth District.

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

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

A-23) SUPERVISOR LAVAGNINO[17-00866](#)

Approve the appointment of Jaime Marks to the Commission for Women, term ending December 31, 2018, Fifth District.

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

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

### Hearing Requests

A-24) PLANNING AND DEVELOPMENT[17-00862](#)

Set a hearing to consider recommendations regarding the Coastal Resource Enhancement Fund (CREF): 2018-2022 Reassessment, Annual Status Report and Distribution of 2018 CREF Fees, as follows:

(Set a hearing for December 12, 2017. Time estimate: 10 minutes)

- a) Consider reassessment of Oil and Gas Project CREF payments for 2018-2022;
- b) Receive and file the annual CREF Status Report;
- c) Direct staff to set aside \$156,138.00 from the 2018 CREF fees for the Hollister Ranch Access Program and \$146,606.00 for the Fund Deferral Program for coastal acquisitions and solicit proposals with 2019 CREF fees in 2019;
- d) Amend the CREF Guidelines for the purposes of reassessing 2018-2022 CREF fees and documenting CREF fees set aside for the Hollister Ranch Access Program; and
- e) Determine that reassessing CREF fees, updating CREF Guidelines, receiving the annual CREF Status Report, and allocating 2018 CREF fees are exempt from CEQA pursuant to Sections 15378(b)(4) and (5) of the State Guidelines.

**A motion was made by Supervisor Williams, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: December 12, 2017 in Santa Maria (EST. TIME: 10 MIN.). The motion carried by the following vote:**

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

**Honorary Resolutions**

A-25) SUPERVISOR WILLIAMS

[17-00864](#)

Adopt a Resolution of Commendation honoring David Kim for his service as President of the Santa Barbara Association of Realtors.

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

**RESOLUTION NO. 17-255**

**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-26) SUPERVISOR HARTMANN

[17-00863](#)

Adopt a Resolution of Commendation honoring Ian Swisher, Julia Kosowitz and Sally Leon-Tondro of the Agricultural Commissioner’s/Weights and Measures office as the December 2017 Employees of the Month in Santa Barbara County.

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

**RESOLUTION NO. 17-256**

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

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

A-27) SUPERVISOR HARTMANN

[17-00868](#)

Adopt a Resolution proclaiming December 1, 2017 as World AIDS Day in Santa Barbara County.

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

**RESOLUTION NO. 17-257**

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

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

**Public Comment Period**

*Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (17-00001)*

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

**No request to speak.**

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

1) **PLANNING AND DEVELOPMENT**

**17-00586**

HEARING - Consider recommendations regarding Case Nos. 17APL-00000-00002 and 17APL-00000-00003, the Olsten Trust Appeal and the Hair/Sturgess Appeal, respectively, of the Montecito Planning Commission's April 18, 2017 conditional de novo Preliminary Design Review approval of the Olsten Trust Single-Family Dwelling Demo-Rebuild, New Detached Garage, Cabaña and Pool (Case No. 14BAR-00000-00082), First District, as follows: (EST. TIME: 15 MIN.)

- a) Approve in part and deny in part, the Olsten Trust appeal, Case No. 17APL-00000-00002;
- b) Approve in part and deny in part, the Hair/Sturgess appeal, Case No. 17APL-00000-00003;
- c) Make the required findings for Preliminary Design Review approval of the revised project, including the California Environmental Quality Act (CEQA) findings;
- d) Determine that approval of the revised project is exempt from CEQA, pursuant to Section 15303; and
- e) Grant de novo Preliminary Design Review Approval of the revised project, Case No. 14BAR-00000-00082, as show in plans dated October 5, 2017, and pursuant to the conditions of the settlement agreement, which have been incorporated into the plans dated October 5, 2017.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

*HEARING TIME: 10:01 AM - 10:20 AM (19 MIN.)*

Received and filed staff report and conducted public hearing.

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

- a) Approved in part and denied in part, the Olsten Trust Appeal, Case No. 17APL-00000-00002;
- b) Approved in part and denied in part, the Hair/Sturgess Appeal, Case No. 17APL-00000-00003;
- c) Adopted the required findings for Preliminary Design Review approval of the revised project, including CEQA findings, included as Attachment 1 of the staff memorandum dated November 30, 2017;
- d) Determined that approval of the revised project is exempt from CEQA, pursuant to Section 15303, included as Attachment 2 of the staff memorandum dated November 30, 2017: and
- e) Granted de nova Preliminary Design Review Approval of the revised project, Case No. 14BAR- 00000-00082, as shown in plans dated October 5, 2017, included as Attachment 3 to the Board Agenda Letter dated December 5, 2017 and pursuant to the conditions of the settlement agreement, included as Attachment 3 to the staff memorandum dated November 30, 2017, which have been incorporated into the plans dated October 5, 2017.

The motion carried by the following vote:

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

2) COUNTY EXECUTIVE OFFICE

17-00881

HEARING - Consider recommendations regarding the recruitment process for filling a vacancy on the Retirement Board of the Santa Barbara County Employees Retirement System, as follows:  
(EST. TIME: 15 MIN.)

- a) Receive and file an update on the existing vacancies on the Retirement Board of the Santa Barbara County Employees Retirement System; and
- b) Provide direction to staff regarding the appointment process.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

*HEARING TIME: 10:21 AM - 10:47 AM (26 MIN.)*

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

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

- a) Received and filed; and**
- b) Appointed Supervisor Hartmann and Supervisor Lavagnino to an ad-hoc subcommittee who will review the applications and return to the Board with recommendations as appropriate.**

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

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

3) COMMUNITY SERVICES

17-00869

HEARING - Consider recommendations regarding a First Amendment to the Countywide Library Agreement and an Update on the Formation of the City of Goleta’s Municipal Library, as follows: (EST. TIME: 45 MIN.)

- a) Approve and authorize the Chair to execute a First Amendment to the Fiscal Year (FY) 2017-2018 Agreement for Operation of a Countywide Library System that increases funding for library services to the Cities of Lompoc, Santa Barbara and Santa Maria by \$162,000.00 for a total award of \$3,827,338.00;
- b) Receive and file an update on the status of the formation of a Municipal Library by the City of Goleta;
- c) Receive and file an update on the status of the Library Consultant; and
- d) Determine that the above recommendation actions are exempt from California Environmental Quality Act (CEQA) review per CEQA Guideline Sections 15378(b)(4) and 15378(b)(5), finding that recommended action a) is a 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; and that recommended action b) involves government organizational or administrative activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and direct staff to file a Notice of Exemption.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

*HEARING TIME: 11:07 AM - 11:45 AM (38 MIN.)*

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

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

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

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

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

4) PLANNING AND DEVELOPMENT

17-00879

HEARING - Consider recommendations regarding a Status Report of Oil and Gas Operations in Santa Barbara County, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file a comprehensive report on the status of offshore and onshore oil and gas operations in Santa Barbara County;
- b) Determine that this report does not constitute a project under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15378(b)(5), since receiving this Report is an organizational or administrative activity of the government that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

*HEARING TIME: 11:47 AM - 12:50 PM (1 HR. 3 MIN.)*

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

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

5) GENERAL SERVICES[17-00883](#)

HEARING - Consider recommendations regarding Judge David W. Long's Arbitration Ruling and Awards, as corrected, dated June 16, 2017 as to Awards 1 through 9, in the matter of arbitration between Nomad Village Mobilehome Homeowners and Nomad Village Mobilehome Park, pursuant to Rule 23 of the Mobilehome Rent Control Rules for Hearings and Chapter 11A, Section A-4 of the Santa Barbara County Code, Second District, as follows: (EST. TIME: 1 HR.)

a) Make the following determinations as supported by the Findings:

i) Find that the Arbitrator did not abuse his discretion and affirm Award No. 1 related to the denial of Homeowner's Motion for Summary Judgment styled motion;

ii) Find that the Arbitrator did not abuse his discretion and affirm Award No. 2 related to the denial of Homeowner's objection to Management's Reply Brief on Attorney fees;

iii) Find that the Arbitrator did not abuse his discretion and affirm Award No. 3 related to the compliance by Management of the Meet and Confer requirements as set out in the Santa Barbara County Mobilehome Rent Control Ordinance;

iv) Find that the Arbitrator did not abuse his discretion and affirm Award No. 4 related to the timeliness of the Notice of Increase in Monthly Rent effective July 1, 2016;

v) Find that the Arbitrator did not abuse his discretion and affirm Award No. 5 related to granting of an automatic, pro rata, rent increase of 1.725% which is to be retroactive to July 1, 2016;

vi) Find that the Arbitrator did not abuse his discretion and affirm Award No. 6 related to the requested, per space, increase of \$29.31 as set forth in the Notice of Increase in Monthly Rent served March 31, 2016 to be capitalized at 9% and amortized over a period of 15 years;

vii) Find that the Arbitrator did not abuse his discretion and affirm Award No. 7 related to amounts claimed for capital improvements for Common Area Paving, Common Area Electrical Work and Related Engineering Costs, as set forth in the Notice of Increase in Monthly Rent served on March 31, 2016 in the amount of \$23.01 to be capitalized at 9% and amortized over a period of 15 years;

viii) Find that the Arbitrator did not abuse his discretion and affirm Award No. 8 related to attorney fees and costs arising from the 2011 Arbitration in the amount of \$56.30, per space retroactive to July 1, 2016, as set forth in the Notice of Monthly Rent Increase served on March 31, 2016 to be capitalized at 9% and amortized over a period of 7 years; and

ix) Find that the Arbitrator did not abuse his discretion and affirm Award No. 9 related to attorney fees and costs and expert fees arising from the current Arbitration, \$12.14 per month capitalized at 9% and amortized over a period of 7 years and retroactive to July 1, 2016, and \$1.26 per month beginning at least 90 days after Management properly gives notice of such increase; and

b) Determine that the proposed action is an administrative activity of the County which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5), approve and direct staff to file and post the Notice of Exemption on that basis.

**COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY**

*HEARING TIME: 2:40 PM - 3:27 PM (1 HR. 13 MIN.)*

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

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

**Approved procedural motion as follows:**

**In accordance with Rules 13 and 23(b) of the Mobilehome Rent Control Rules for Hearings, the Board limits its review of the Arbitrator’s decision to the paper record alone attached to the Board Agenda Letter dated December 5, 2017 as further detailed in that Board Agenda Letter, which consists of portions of Attachment 1, Exhibits A through Y. The Board will not consider any new evidence, and receives oral argument and Brown Act public comment as argument that focuses on evidence that is already contained in the record, rather than as new evidence.**

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

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

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

**a) i) through ix) Approved;**

**b) Approved.**

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

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

**Adjourned at 3:27 PM**

**Adjourned to**

**Tuesday, December 12, 2017**

**Joseph Centeno Betteravia Government Administration Building**

**Board Hearing Room**

**511 East Lakeside Parkway**

**Santa Maria**

**Challenges**

*IF YOU CHALLENGE A DETERMINATION MADE ON A MATTER ON THIS AGENDA IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE TO THE BOARD OF SUPERVISORS AT, OR PRIOR TO, THE PUBLIC HEARING.*

**Announcements**

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

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