

County of Santa Barbara
BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Agenda

Tuesday, February 4, 2020

9:00 AM

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

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

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 January 28, 2020 Meeting****County Executive Officer's Report**[20-00001](#)**12:00 P.M. Recess to Closed Session****Closed Session**[20-00002](#)

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

State of California et al. ex rel. OntheGo Wireless, LLC v. Cellco Partnership, et al., Superior Court for the County of Sacramento, case number 34-2012-00127517.

In re GSE Bonds Antitrust Litigation, United States District Court for the Southern District of New York, case number 1:19-cv-01704 (JSR)

[Santa Barbara County Board of Supervisors, sitting as the Board of Supervisors and as the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District]

City of Goleta v. Bottiani Properties, et al., Superior Court for the County of Santa Barbara, case number 19CV03349.

City of Goleta v. Santa Barbara Nissan, LLC, et al., Superior Court for the County of Santa Barbara, case number 19CV03339.

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 HART [20-00094](#)**

Adopt a Resolution celebrating the 100th Anniversary of the League of Women Voters of the United States.

A-2) SUPERVISOR HART [20-00096](#)

Adopt a Resolution of Commendation honoring Colleen Ryan of the Sheriff's Office as the February 2020 Employee of the Month for Santa Barbara County.

A-3) SUPERVISOR HART [20-00095](#)

Adopt a Resolution proclaiming the month of February 2020 as Black History Month in Santa Barbara County.

Administrative Items**A-4) BEHAVIORAL WELLNESS [20-00087](#)**

Consider recommendations regarding a Third Amendment to the Agreement with Family Service Agency of Santa Barbara County, Fiscal Years (FY) 2018-2021, as follows:

a) Approve and authorize the Chair to execute a Third Amendment to the Agreement for Services of Independent Contractor with Family Service Agency of Santa Barbara County (a local vendor) (BC 19-153) for the provision of alcohol and drug program (ADP) and mental health services (MHS) with a \$140,471.00 increase in ADP funds to add new case management services for participants in Step Down Housing, contingent on the Board accepting Proposition 47 Grant funds, for a Maximum Contract Amount not to exceed \$4,740,187.00 for the period of December 1, 2018 through June 30, 2021;

b) Approve and authorize the Chair to delegate to the Director of Behavioral Wellness, or designee, the authority to make immaterial changes to the agreement or reallocate funds between funding sources at their discretion during the term of the agreement without altering the Maximum Contract Amount or requiring a formal amendment to the agreement, subject to the Board's ability to rescind this delegated authority at any time; and

c) Determine that the above actions are government fiscal activities that will not result in direct or indirect physical changes in the environment, pursuant to section 15378(b)(4) of the California Environmental Quality Act (CEQA) guidelines.

A-5) BEHAVIORAL WELLNESS[20-00088](#)

Consider recommendations regarding a Fourth Amendment with Good Samaritan Shelter, Fiscal Years (FY) 2018-2021, as follows:

a) Approve, ratify and authorize the Chair to execute a Fourth Amendment to the Agreement, for Services of Independent Contractor with Good Samaritan Shelter (a local vendor) (BC 19-152) for the provision of alcohol and drug program (ADP) and mental health services (MHS) with a \$1,864,455.00 increase to the Maximum Contract Amount not to exceed \$14,726,098.00, for the period of December 1, 2018 through June 30, 2021, as follows:

i) Amend Exhibit A-8 to add a new location for Mental Health Shelter Beds in Lompoc, increase the total number of shelter beds from 6 to 8 County-wide, and increase services in Lompoc from 1 to 3 clients, with no change to the Maximum Contract Amount of \$494,000.00 for MHS;

ii) Add ADP Sobering Center services (Exhibit A-10) effective November 1, 2019 at a cost of \$1,090,025.00, inclusive of \$400,415.00 for FY 2019-2020 and \$689,610.00 for FY 2020-2021 contingent on the Board accepting Proposition 47 Grant funds;

iii) Add Residential Step Down Supported Housing services (Exhibit A-11) effective November 1, 2019 at a cost of \$604,430.00, inclusive of \$212,577.00 for FY 2019-2020 and \$391,853.00 for FY 2020-2021 contingent on the Board accepting Proposition 47 Grant funds; and

iv) Increase CalWORKS ADP funds by \$170,000.00 for the provision of additional CalWORKS Alcohol and Drug residential treatment and Alcohol Drug Free housing program services;

b) Approve and authorize the Chair to delegate to the Director of Behavioral Wellness or her designee the authority to make immaterial changes to the agreement or reallocate funds between funding sources at their discretion during the term of the agreement without altering the Maximum Contract Amount or requiring a formal amendment to the agreement, subject to the Board's ability to rescind this delegated authority at any time; and

c) Determine that the above actions are government fiscal activities that will not result in direct or indirect physical changes in the environment, pursuant to section 15378(b)(4) of the California Environmental Quality Act (CEQA) guidelines.

A-6) CLERK-RECORDER-ASSESSOR[20-00091](#)

Consider recommendations regarding a Clerk-Recorder-Assessor Position Allocation Change, as follows:

- a) Adopt the Salary Resolution, changing existing position allocations in the Clerk-Recorder-Assessor Department, effective on February 10, 2020; and
- b) Determine that the above actions are not a “project” and are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) because they are organization or administrative activities of governments that will not result in direct or indirect physical changes to the environment.

A-7) CLERK-RECORDER-ASSESSOR[20-00092](#)

Consider recommendations regarding a Resolution authorizing the Assessor to abate the penalty for Assessee’s failure to file a Change in Ownership Statement, as follows:

- a) Adopt a Resolution that authorizes the Santa Barbara County Assessor to abate the penalty for an Assessee’s failure to file a Change in Ownership Statement if the Assessee files the Statement with the Assessor no later than 60 days after the date on which the Assessee was notified of the penalty; and
- b) Determine that the above-recommended action is not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), finding that the action is a creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-8) COMMUNITY SERVICES[20-00086](#)

Consider recommendations regarding a First Amendment adding additional funds to the California Homeless Emergency Aid Program (HEAP) Loan to Fighting Back Santa Maria Valley (FBSMV) for Permanent Supportive Housing for Transition Age Youth in Santa Maria, Fifth District, as follows:

a) Approve and authorize the Chair to execute the following documents, which add Sixty Thousand, Nine Hundred and Fifty Eight Dollars (\$60,958.00) to the previously approved Four Hundred Eighty One Thousand, Five Hundred Dollars (\$481,500.00) loan for acquisition and renovation of 424 E Park Ave., Santa Maria, California for four (4) Transition Age Youth (TAY) permanent housing units:

i) First Amendment to County HEAP Loan Agreement, adding \$60,958.00 to the County HEAP Loan Agreement;

ii) County Deed of Trust, Assignment of Rents, and Security Agreement, securing the amended \$542,458.00 loan amount;

iii) Substitution of Trustee and Deed of Full Reconveyance, releasing the Deed of Trust for the original \$481,500.00 loan amount;

iv) County HEAP Regulatory Agreement, replacing the Regulatory Agreement for the original \$481,500.00 loan amount; and

v) County HEAP Loan Promissory Note, replacing the Promissory Note for the original \$481,500.00 loan amount; and

b) Determine that recommended actions are exempt under the California Environmental Quality Act (CEQA) pursuant to section 15301 of the CEQA Guidelines, because they consist of minor alterations of an existing private structure and involves negligible or no expansion of existing or former use.

A-9) COMMUNITY SERVICES20-00090

Consider recommendations regarding Arroyo Burro Ranger Office and Site Improvements Project No. 8653, Award of Construction Contract, Second District, as follows: (4/5 Vote Required)

- a) Approve the plans and specifications on file in the Community Services Department for the Arroyo Burro Ranger Office and Site Improvements Project No. 8653 (Project);
- b) Award, approve and authorize the Chair to execute a contract in the amount of \$1,133,024.00 to the lowest responsible bidder, RK and G Construction, Inc., for the Project, subject to the provisions of the documents and certifications as set forth in the plans and specifications applicable to the Project and as required by California law;
- c) Authorize the Director of Community Services, or designee, to order changes or additions in the work being performed for the Project via change orders in the amount not to exceed \$69,151.00 as authorized under California Public Contract Code Section 20142;
- d) Approve Budget Revision Request No. 0006749 for completion of the Project; and
- e) Determine that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302 of the State Guidelines for the Implementation of CEQA which consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and have substantially the same purpose and capacity as the structure replaced; CEQA Guidelines Section 15301 which consists of the repair or minor alteration of existing facilities or topographical features, involving negligible or no expansion of existing use; and CEQA Guidelines Section 15304(b) which consists of minor alterations in the condition of land, water, and/or vegetation, including the replacement of existing conventional landscaping with water efficient landscaping, which do not involve removal of healthy, mature, scenic trees, and direct staff to file the CEQA Notice of Exemption on that basis.

A-10) COUNTY COUNSEL[20-00081](#)

Consider recommendations regarding the ratification of Montecito Fire Protection District's adoption of building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code, as follows:

- a) Adopt a Resolution ratifying Montecito Fire Protection District's Ordinance 2019-02 that 1. Adopts by reference and amends the 2019 California Fire Code and Appendix Chapters and Appendix Standards Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire, Hazardous Materials or Explosion; 2. Adopts by reference the Montecito Fire Protection District Development Standards; 3. Provides for the Issuance of Permits for Hazardous Uses or Operations; 4. Establishes a Bureau of Fire Prevention and provides Officers therefore and Defines their Powers and Duties within the District; 5. Amends section R313 of the California Residential Code; 6. Amends section 1505 of the 2019 California Building Code; and 7. Repeals Montecito Fire Protection District's Ordinance Nos. 2016-01, 2017-01, 2018-01 and 2019-01;
- b) Upon ratification of the Ordinance, instruct staff to forward a copy of the Board's ratifying Resolution, and the Fire Protection District's Ordinance (including the Fire Protection District's findings which are set forth in Article 11 of the Ordinance), to the California Department of Housing and Community Development, pursuant to Health and Safety Code Section 13869.7; and
- c) Determine that the adoption of this Resolution is categorically exempt from the California Environmental Quality Act in compliance with Section 15061 (b), (3), (No possibility of impact on the environment).

A-11) COUNTY EXECUTIVE OFFICE[20-00093](#)

Consider recommendations regarding the re-ratification of Proclamations of Local Emergencies related to the Thomas Fire/Storm Incident, as follows:

- a) Adopt a Resolution re-ratifying the Proclamations of Local Emergencies related to the Thomas Fire/Storm Incident that exist in Santa Barbara County pursuant to Government Code Section 8630(c);
- b) Direct the Office of Emergency Management to return within 60 days for re-ratification of the Emergency until such time that the response and recovery conditions dictate otherwise; and
- c) 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-12) COUNTY EXECUTIVE OFFICE[20-00085](#)

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

A-13) HUMAN RESOURCES[20-00082](#)

Consider recommendations regarding a Resolution providing for compensation of County employees who serve as election workers, as follows:

a) Adopt the Resolution which provides for compensation of County employees who serve as poll workers in County elections; and

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

A-14) HUMAN RESOURCES[20-00083](#)

Consider recommendations regarding Workers' Compensation Alternative Dispute Prevention and Resolution Pilot Program Agreement, as follows:

a) Approve and authorize the Chair to execute the Agreement between the County of Santa Barbara and the Santa Barbara County Fire Fighters, Inc., Local 2046 which establishes a Workers' Compensation Alternative Dispute Prevention and Resolution Pilot Program; and

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

A-15) PUBLIC DEFENDER[20-00089](#)

Consider recommendations regarding acceptance of Board of State and Community Corrections (BSCC) Award of \$5,988,511.00 million for Prop 47 Crisis Intervention, Diversion and Support (CIDS) program, Fiscal Year (FY) 2019-2022, as follows:

- a) Approve, ratify and authorize the Public Defender, or designee, to execute the multi-year grant agreement with the BSCC accepting \$5,988,511.00 for the County of Santa Barbara to provide crisis intervention, diversion and support to individuals at three main points of entry: field law enforcement contact (arrest), jail booking, and prior to arraignment for the forty-five month period of August 15, 2019 or upon State approval, whichever is later, through May 15, 2023 (BSCC Grant Agreement);
- b) Approve and authorize the Public Defender, or designee, to execute subsequent reports pursuant to Exhibit A, Section 5 of the BSCC Grant Agreement or make immaterial amendments that do not change the amount or substantive terms of the BSCC Grant Agreement;
- c) Direct Public Defender staff to work with various stakeholders, including the County departments of Behavioral Wellness, County Executive Office, District Attorney, Probation and Sheriff; the Superior Court; local community-based organizations to create a program to divert individuals with a history of serious mental illness (SMI) and/or substance use disorder (SUD) from the criminal justice system to trauma-informed crisis stabilization and comprehensive mental health and SUD wraparound services;
- d) Authorize the Public Defender, or designee, to amend the BSCC Grant Agreement to add a liaison position with no change to the amount of grant funds and return to the Board with a Salary Resolution after the amendment has been approved by the BSCC;
- e) Designate the Public Defender as the programmatic lead, and the Public Defender and Behavioral Wellness as co-leads, for the implementation of the BSCC Prop 47 CIDS grants funds; and
- f) 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.

Board of SupervisorsA-16) SUPERVISOR HARTMANN[20-00097](#)

Approve the appointment of Raul Rodriguez to the Guadalupe Cemetery Board of Directors, term ending January 1, 2021, Third District.

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) (20-00004)

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

Departmental Agenda
Planning Items and Public Hearings

1) GENERAL SERVICES[20-00084](#)

HEARING - Consider recommendations regarding the Countywide Information Technology Governance Program, as follows: (EST. TIME: 30 MIN.)

a) Receive and file the update on the Countywide Information Technology Governance Program Charter, Executive Information Technology Council Charter, Information Technology Policy Committee Charter, Information Standard Committee Charter, and Information Technology Administrative Manual;

b) Approve the following Information Technology Policies;

- i) Information Technology Administrative Manual;
- ii) Cybersecurity Training Awareness Policy;
- iii) Password Policy;
- iv) Information Security Incident Management Policy;
- v) Third-Party Information Security Policy; and
- vi) Acceptable Use Policy;

c) Approve the following Standards;

- i) Incident Management; and
- ii) Password Manager Digital Vault; and

d) Determine that the proposed actions are related to general policy and procedure making and organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment and is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline section 15378 (b)(2) and (5).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION:

Adjourn to**Tuesday, February 11, 2020****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, February 4, 2020 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 6, 2020, at 5:00 PM and on Saturday, February 8, 2020, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>