

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, January 15, 2019

9:00 AM

**JOSEPH CENTENO BETTERAVIA GOVERNMENT ADMINISTRATION
BUILDING, BOARD HEARING ROOM
511 EAST LAKESIDE PARKWAY, SANTA MARIA**

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 8, 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)

Lillian Soqui v. County of Santa Barbara, et al., Workers' Compensation Appeals Board case numbers ADJ2790509 and ADJ3675846.

Service Employees International Union Local 620 v. County of Santa Barbara (Department of Behavioral Wellness), Public Employment Relations Board case number LA-CE-1258-M.

Santa Barbara County Board of Supervisors, sitting as the Board of Directors of the Santa Barbara Fund for Public and Educational Access:

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

Deciding whether to initiate civil litigation: 1 case.

CONFERENCE WITH 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 and Interim Human Resources Director Maria Elena de Guevara.

PUBLIC EMPLOYEE APPOINTMENT
(Paragraph (1) of subdivision (b) of Government Code section 54957)

Fire Chief.

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 LAVAGNINO [19-00058](#)

Adopt a Resolution of Commendation honoring Lea Villegas of the Public Defender's Office as the January 2019 Employee of the Month in Santa Barbara County.

- A-2) SUPERVISOR HARTMANN, SUPERVISOR LAVAGNINO [19-00063](#)

Adopt a Resolution to Commemorate the Santa Maria Women's March of 2019.

Administrative Items

- A-3) BEHAVIORAL WELLNESS [19-00048](#)

Consider recommendations regarding a Second Amendment to the Agreement with Psynergy, Fiscal Year (FY) 2017-2020, as follows: (4/5 Vote Required)

- a) Approve, ratify and authorize the Chair to execute a Second Amendment to the Agreement for Services of Independent Contractor with Psynergy Programs, Inc., (not a local vendor) for the provision of adult residential mental health services, to increase the FY 2017-2018 contract by \$60,293.00 and the FY 2018-2019 contract by \$500,000.00 for a total contract amount not to exceed \$2,421,549.00 for the period July 1, 2017 through June 30, 2020;
- b) Approve Budget Revision Request No. 0006036 increasing appropriations of \$500,000.00 in Behavioral Wellness Mental Health Services Act Fund for Services and Supplies funded by unanticipated Intergovernmental Revenue - State (\$350,000.00) and Charges for Services revenue (\$150,000.00); and
- c) Determine that the recommended actions are not a "project" under the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378(b)(4) since the recommended actions are government fiscal activities which do not involve commitment to any specific project which may result in potentially significant physical impact on the environment.

A-4) BEHAVIORAL WELLNESS[19-00047](#)

Consider recommendations regarding Behavioral Wellness Fiscal Year (FY) 2017-2020 California Psychiatric Transitions AM 1, as follows:

- a) Approve, ratify, and authorize the Chair to execute a First Amendment to the Agreement for services of Independent Contractor with California Psychiatric Transitions (not a local vendor), an Institution for Mental Disease, to add audit language and to increase the Mental Health Rehabilitation Center rates from \$350.00 a day to \$400.00 a day as of July 1, 2018, with no change to the total maximum contract amount through June 30, 2020; and
- c) Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project which may result in 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[19-00050](#)

Consider recommendations regarding a Second Amendment with Vista Pacifica, Fiscal Year (FY) 2017-2019, as follows: (4/5 Vote Required)

- a) Approve, ratify and authorize the Chair to execute the Second Amendment to the Agreement for Services of Independent Contractor with Vista Pacifica Enterprises, Inc. (not a local vendor), an Institution for Mental Disease and a Skilled Nursing Facility, to increase the FY 2018-2019 contract by \$316,000.00, for a total contract maximum amount not to exceed \$1,342,962.00 for the period July 1, 2017 through June 30, 2019;
- b) Approve a Budget Revision Request No. 0006089 increasing appropriations of \$316,000.00 in Behavioral Wellness Mental Health Fund for services and supplies funded by unanticipated Medicare revenue; and
- c) Determine that the recommended actions are not a “project” under the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378(b)(4) since the recommended actions are government fiscal activities which do not involve commitment to any specific project which may result in potentially significant physical impact on the environment.

A-6) BEHAVIORAL WELLNESS[19-00049](#)

Consider recommendations regarding a Second Amendment to the Agreement with Merced, Fiscal Year (FY) 2018-2019 AM 2, as follows:

a) Approve and authorize the Chair to execute the Second Amendment to the Agreement for services of independent Contractor with Merced Behavioral, LLC, a California limited liability company, dba Merced Behavioral Center (not a local vendor), an Institution for Mental Disease, to increase the FY 2018-2019 contract by \$250,000.00 for a total contract amount not to exceed \$2,019,585.00 for the period July 1, 2017 through June 30, 2020; and

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

A-7) BEHAVIORAL WELLNESS[19-00051](#)

Consider recommendations regarding the Behavioral Wellness Alcohol and Drug Program - First Amendment to State Contract for Substance Abuse Prevention and Treatment Block Grant, Fiscal Year (FY) 2017-2020, as follows: (4/5 Vote Required)

a) Approve and authorize the Director of Behavioral Wellness to execute the First Amendment to the multi-year revenue Agreement No. 17-94159 A01 with the State Department of Health Care Services for Substance Abuse Prevention and Treatment Block Grant funds, to increase funds for Fiscal Year 2018-2019 for a total maximum in the amount of \$7,852,953.00 for the period of July 1, 2017 to June 30, 2020;

b) Approve a Budget Revision Request No. 0006104 increasing appropriations of \$28,905.00 in Behavioral Wellness Department, Alcohol and Drug Program Fund for Services and Supplies funded by unanticipated Substance Abuse Prevention and Treatment Federal Block Grant Revenue; and

c) Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project which may result in 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-8) COMMUNITY SERVICES[19-00056](#)

Consider recommendations regarding Homeless Management Information Systems (HMIS) Capacity Building Project Application, as follows:

- a) Authorize the Community Services Director or designee to submit a two-phased funding application in an amount not to exceed \$80,000.00, and all certifications, standard forms, and other related documents to the U.S. Department of Housing and Urban Development (HUD) for the HMIS Capacity Building Project Notice of Funding Availability;
- b) Authorize the County Executive Officer or her designee(s) to execute all certifications, standard forms, and grant agreement in a form substantially similar to the Fiscal Year (FY) 2017 Continuum of Care (CoC) program grant agreement, and other related documents required for the acceptance and administration of HMIS Capacity Building funds; and
- c) 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 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.

A-9) COMMUNITY SERVICES[19-00057](#)

Consider recommendations regarding the addition of a .50 position to administer Community Corrections Partnership (CCP) Supportive Services and Housing Programs, as follows: (4/5 Vote Required)

- a) Adopt a Salary Resolution, which allocates to Housing and Community Development a 0.5 Housing Specialist I/II, as of January 14, 2019;
- b) Approve Budget Revision Request No. 0006116 increasing appropriations of \$50,000.00 in Probation Department General Fund for Intrafund Expenditure Transfers (+) funded by release of Restricted Local Realignment 2011 fund balance; and Increase appropriations of \$50,000.00 in Housing and Community Development Department General Fund for Salaries and Benefits funded by an Intrafund Expenditure Transfer from the Probation Department General Fund; and
- c) Determine that the recommended actions are not a project within the California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(4), since the recommended actions are government fiscal activities which do not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-10) COUNTY EXECUTIVE OFFICE**19-00052**

Consider recommendations regarding State Advocate Contract Renewal (Governmental Advocates, Inc.), as follows:

a) Approve, ratify, and authorize the Chair to execute an Agreement for the services of independent contractor Governmental Advocates, Inc. to provide State advocacy services for the period of January 1, 2019 to December 31, 2019 for a total amount not to exceed \$65,000.00; and

b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4) because it consists of the 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.

Department requests continuance of Administrative Item A-11) to 1/29/2019**A-11) COUNTY EXECUTIVE OFFICE****19-00060**

Consider recommendations regarding an updated method for incorporating specific limited-discretionary revenues as part of the County's annual budget process.

A-12) GENERAL SERVICES, PROBATION**19-00046**

Consider recommendations regarding a Probation Report and Resource Center Lease at 124 W. Carmen Lane (RP File No. 003678), in Santa Maria, Fourth District, as follows:

a) Authorize the Director of the General Services Department to exercise the first option to renew the lease between the County of Santa Barbara (County) and Phillip G. Tate (Landlord), for the County's leasing of 124 W. Carmen Lane, in Santa Maria, for five (5) years, by providing written notice of the County's intent to exercise its option to the landlord; and

b) Determine that the proposed action consists of the operation and leasing of existing public or private structures or facilities involving negligible or no expansion of use and therefore is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities, and direct staff to file and post the Notice of Exemption on that basis.

A-13) PLANNING AND DEVELOPMENT[19-00055](#)

Consider recommendations regarding Public Convenience or Necessity Determination for Los Alamos Depot Mall Pub (Thompson), Case No. 18PCN-00000-00001, Third District, as follows:

- a) Approve and authorize the Chair to execute a letter and forward the application and letter to the California Department of Alcohol Beverage Control (ABC) determining that public convenience will be served by issuing the new “On-Sale General for Public Premises” license to the Los Alamos Depot Mall Pub, APN 101-160-012, located at 515 Leslie St. No. A, Los Alamos; 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).

A-14) PROBATION[19-00054](#)

Consider recommendations regarding the Office of Traffic Safety (OTS) Grant Program for Federal Fiscal Year (FFY) 2020 DUI Intensive Supervision Program, as follows:

- a) Authorize the Chief Probation Officer to submit an application, execute the Grant Award Agreement, and accept anticipated funding of the FFY 2020 California Office of Traffic Safety (OTS) Grant in the amount of \$146,299.00 for the period covering October 1, 2019, to September 30, 2020; 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-15) PUBLIC WORKS[19-00059](#)

Consider recommendations regarding Foothill Road Low Water Crossing Replacement Project, County Project No. 862339, Federal-Aid Project No. BRLO-NBIL(512), First District, as follows:

- a) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with Drake Haglan and Associates, 11060 White Rock Road, Suite 200, Rancho Cordova, CA 95670 (not a local vendor) for professional engineering services in the base contract amount of \$74,104.51, for the Foothill Road Low Water Crossing Replacement Project;
- b) Authorize the Director of Public Works or designee to approve amendments within the scope of the Statement of Work to the Agreement with Drake Haglan and Associates in an amount up to and not to exceed \$7,410.45 and to make immaterial changes in accordance with Section 35 of the Agreement; and
- c) Find that the proposed contract does not constitute a “Project” within the meaning of the California Environmental Quality Act pursuant to 14 CCR 15378 (b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment).

A-16) PUBLIC WORKS[19-00053](#)

Consider recommendations regarding the acquisition of Jordan Property (APN 093-040-029) for the Floradale Avenue Bridge No. 51C-0370 over Santa Ynez River Project (Replacing Existing Bridge No. 51C-006), Federal Project BRLSZD-5951(060), County Project No. 862032, Third District, as follows:

a) Receive and consider comments received from the California Department of Conservation, if any, regarding the acquisition of fee title to 0.58 acres and a temporary construction easement for 1.23 acres in agricultural preserve land in connection with the Floradale Avenue Bridge No. 51C-0370 over Santa Ynez River Project (Replacing Existing Bridge No. 51C-006);

b) Find that the acquisition of fee title to 0.58 acres and a temporary construction easement for 1.23 acres in connection with the Floradale Avenue Bridge No. 51C-0370 over Santa Ynez River Project (Replacing Existing Bridge No. 51C-006) is: i) not based primarily on a consideration of the lower cost of acquiring land in an agricultural preserve; and ii) there is no other land within or outside the preserve on which it is reasonably feasible to locate the public improvement;

c) Approve and authorize the Clerk to execute the Certificate of Acceptance consummating the purchase of and accepting a fee title interest in a portion of the real property known as APN 093-040-029 from Stephen and Patricia Jordan, trustees of the Stephen E. and Patricia A. Jordan Family Trust dated May 4, 1995;

d) Approve and authorize the Clerk to execute the Certificate of Acceptance consummating the purchase of and accepting a temporary construction easement interest in a portion of the real property known as APN 093-040-029 from Stephen and Patricia Jordan, trustees of the Stephen E. and Patricia A. Jordan Family Trust dated May 4, 1995; and

e) Consider the environmental effects of the project as shown in the Final Mitigated Negative Declaration (18NGD-00000-00003) dated September 28, 2018, adopted by the County of Santa Barbara on December 4, 2018, and find that pursuant to California Environmental Quality Act Guidelines Section 15162, no substantial changes are proposed, and there are no substantial changes in circumstances or new information of substantial importance regarding significant impacts or feasibility of mitigation measures and alternative, and therefore approval of the Recommended Actions are within the scope of the Final Mitigated Negative Declaration (18NGD-00000-00003).

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) **BEHAVIORAL WELLNESS** **19-00061**

HEARING - Consider recommendations regarding the Psychiatric Health (PHF) Facility Annual Update, as follows: (EST. TIME: 30 MIN.)

a) Receive and file a report on the PHF, providing an annual update from the PHF Governing Board regarding operations of the PHF, including quality of care and other program activities; and

b) Determine that the above actions are exempt from the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA guidelines, as organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

2) **COMMUNITY SERVICES** **19-00062**

HEARING - Consider recommendations regarding Residential Property Assessed Clean Energy Financing, as follows: (EST. TIME: 30 MIN.)

a) Receive and file a briefing on Residential Property Assessed Clean Energy Financing; and

b) Direct staff to either:

i) Not pursue implementation of a Residential Property Assessed Clean Energy Financing program further at this time; or

ii) Pursue implementation of a third-party Residential Property Assessed Clean Energy Financing program; and

c) Determine that the above recommended actions do not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), finding that the actions are the creation of a governmental funding mechanism or other government fiscal activity, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Adjourn to**Tuesday, January 29, 2019****County Administration Building
Board Hearing Room
105 East Anapamu Street , Fourth Floor
Santa Barbara****Challenges**

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

Announcements

The meeting of Tuesday, January 15, 2019 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, January 17, 2019, at 5:00 PM and on Saturday, January 19, 2019, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>