

County of Santa Barbara
BOARD OF SUPERVISORS



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First District - Das Williams, Chair

Second District - Laura Capps

Third District - Joan Hartmann

Fourth District - Bob Nelson

Fifth District - Steve Lavagnino, Vice Chair

Mona Miyasato, County Executive Officer

Agenda

Tuesday, November 7, 2023

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, the Water Agency, the Laguna County Sanitation District, 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

Please see page two of this agenda for public participation options for the Board of Supervisors Meetings. Persons may address the Board on any matter listed on the agenda. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda.

The Santa Barbara County Board of Supervisors currently provides in-person participation as well as remote participation until further notice.

Board members and the public may participate from the Joseph Centeno Betteravia Government Administration Building Board Hearing Room, 511 Lakeside Parkway, Santa Maria.

The following methods of participation are available to the public:

1. You may observe the live stream of the Board meetings in the following ways:

- Televised in English and Spanish (SAP channel via Comcast and Cox) on local cable channel 20;
- Online at: <https://www.countyofsb.org/1333/CSBTV-Livestream>; and
- YouTube at: <https://www.youtube.com/user/CSBTV20> (Closed Captioning Available)

2. If you wish to provide public comment, the following methods are available:

- **Distribution to the Board of Supervisors** - Submit your comment via email prior to 5:00 PM on the day prior to the Board meeting. Please submit your comment to the Clerk of the Board at: sbcob@countyofsb.org. Your comment will be distributed to the Board and posted online. Whether the comment is formally part of the record depends on the agenda item it is submitted for and its length and time of submittal as set out in Board Resolution 91-333 (Land Use).

- **Attend the Meeting In-Person** - Individuals are allowed to attend and provide comments at the Board meeting in-person. Please note, we are following all local and State guidelines and are no longer requiring face coverings indoors. Please be advised that the Public Health Department is still strongly encouraging County staff and members of the public to mask and socially distance themselves in public areas.

- **Attend the Meeting by Zoom** - Individuals wishing to provide public comment remotely during the Board meeting can do so via Zoom by clicking the below link to register in advance.

Register in advance for this meeting:

https://countyofsb.zoom.us/webinar/register/WN_B2KSBqPkOruYhUEOrk27ew

After registering, you will receive a confirmation email containing important information about joining the webinar. Please review the Zoom protocols below, as follows:

1. Once the Chair has announced the item you want to comment on, please join the meeting.
2. You will be placed on mute until it is your turn to speak. You will be able to hear the Board meeting live after calling in and will need to turn off or mute your TV or the web stream to avoid sound interference.
3. The Clerk will call you by name. When removed from mute, you will hear a notification that your line has been unmuted. **If you are using a touchtone phone, you may need to press *6.**
4. Each person may address the Board for up to three minutes at the discretion of the Chair.
5. When your time is up or you have concluded your comments, please hang up or log out.

If you have any questions or if you are participating in the hearing telephonically or electronically and need a disability-related modification or accommodation or have any issues attempting to access the hearing, please contact the Clerk of the Board's Office at (805) 568-2240.

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, or any special accommodations, please contact the Clerk of the Board at (805) 568-2240 or sbcob@countyofsb.org. 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.

Disclosure of Campaign Contributions

Pursuant to Government Code section 84308, members of the Board of Supervisors are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid, labor, or personal employment contracts), franchises, discretionary land use permits and other entitlements if the Board member received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the County's decision on the agenda item since January 1, 2023. Applicants, appellants, contractors, agents or any financially interested participant who actively supports or opposes the County's decision on the agenda item who have made campaign contributions totaling more than \$250 to a Board member since January 1, 2023, are required to disclose that fact for the official record of the subject proceeding. Disclosures must include the amount and date of the campaign contribution and identify the recipient Board member and may be made either in writing to the Clerk of the Board of Supervisors prior to the subject hearing or by verbal disclosure at the time of the hearing.

Closed Session

The Board of Supervisors conducts a Closed Session between 12:00 P.M. and 1:00 P.M. and at 8:00 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). Members of the public may address the Board on Closed Session Agenda items during the General Public Comment period. For information related to Closed Session announcements please contact County Counsel at (805) 568-2950.

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.

9:00 A.M. Convened to Regular Session**Roll Call****Pledge of Allegiance****Approval of Minutes of the October 17, 2023 Meeting****County Executive Officer's Report**[23-00001](#)

County Executive Officer's Report: Receive a report from the County Executive Officer (CEO) on County programs, County staff updates and achievements, staff recognitions, updates on major projects, updates on state and federal legislation, and upcoming events of interest to the Board and the public. There will be no Board discussion except to ask questions or refer matters to staff; and no action will be taken unless listed on a subsequent agenda.

Your County, Your Heroes:

Monica Hernandez and Nelson Maldonado, Probation Department

12:00 P.M. Recessed to Closed Session**Closed Session**[23-01076](#)

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

American Medical Response West v. County of Santa Barbara et al.; Santa Barbara County Superior Court Case No. 23CV04250.

Joyce E. Dudley, Santa Barbara County District Attorney v. County of Santa Barbara; Santa Barbara County Superior Court Case No. 22CV05054.

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

Significant exposure to civil litigation: 1 case, based on these "facts and circumstances:"

The Santa Barbara County District Attorney's Office has filed a First Amended Verified Petition for Writ of Mandate concerning a Public Records Act request the District Attorney's Office submitted to the County of Santa Barbara in Case No. 22CV05054. In that Petition, the District Attorney's Office states that the Consumer and Environmental Protection Unit of the Santa Barbara County District Attorney's Office has been investigating the County's response to a "Toro Canyon Creek oil spill" since July 2021.

Significant exposure to civil litigation: 1 case.

The Solomon-Zimmer Living Trust submitted a claim for \$800,000 as attached to the Agenda

item.

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.

Administrative Items**A-1) AGRICULTURAL COMMISSIONER AND WEIGHTS & MEASURES DEPARTMENT [23-01015](#)**

Consider recommendations regarding California Department of Food and Agriculture (CDFA) Pest Exclusion Program Agreement No. 23-0622-000-SG, as follows:

- a) Approve, ratify and authorize the Chair to execute an agreement with the CDFA to receive reimbursement for the County's High-Risk Pest Exclusion Program for the period of July 1, 2023 through June 30, 2024 in the amount of \$346,428.59; and
- b) Determine that the above 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).

A-2) BEHAVIORAL WELLNESS DEPARTMENT [23-01032](#)

Consider recommendations regarding a Second Amendment with Zona Seca the Revenue Agreement for Driving Under the Influence (DUI) and Penal Code 1000 (PC 1000) Drug Diversion Program Administrative Services Fiscal Years (FYs) 2022-2025 to, as follows:

- a) Approve, ratify, and authorize the Chair to execute a Second Amendment to the multiyear DUI and PC 1000 Revenue Agreement with Zona Seca, a California nonprofit corporation (a local vendor), to update DUI program rates, effective August 25, 2023, as approved by the California Department of Health Care Services (DHCS), with no change to the projected revenue amount of \$57,000.00, inclusive of \$19,000.00 per FY, for the period of July 1, 2022, through June 30, 2025; and
- b) Determine that the above action is a government 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 is therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines.

A-3) BEHAVIORAL WELLNESS DEPARTMENT**23-01033**

Consider recommendations regarding a Council on Alcoholism and Drug Abuse (CADA) First Amendment to the Revenue Agreement for Driving Under the Influence (DUI) Program Administrative Services for Fiscal Years (FYs) 2023-2026, as follows:

- a) Approve, ratify, and authorize the Chair to execute a First Amendment to the multiyear DUI program Revenue Agreement with CADA, a California nonprofit (a local vendor), to update the DUI program rates, effective August 25, 2023, as approved by the California Department of Health Care Services (DHCS), with no change to the projected revenue amount of \$18,000.00, inclusive of \$6,000.00 per FY, for the period of July 1, 2023, through June 30, 2026; and
- b) Determine that the above action is a government funding mechanism or other government fiscal activity, which does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment, and is therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines.

A-4) BEHAVIORAL WELLNESS DEPARTMENT**23-01056**

Consider recommendations regarding the California Department of Health Care Services (DHCS) Intergovernmental Transfer Agreements for Drug Medi-Cal Organized Delivery System (DMC-ODS) Services and Specialty Mental Health Services (SMHS), as follows:

- a) Approve, ratify, and authorize the Director of the Department of Behavioral Wellness, or designee, to execute an Intergovernmental Transfer Agreement (Contract No. 21-10034) for the transfer of public funds to the California DHCS to fund the county nonfederal share of Medi-Cal payments for DMC-ODS services furnished by the County, for the period of July 1, 2023 through December 31, 2026;
- b) Approve, ratify, and authorize the Director of the Department of Behavioral Wellness, or designee, to execute an Intergovernmental Transfer Agreement (Contract No. 22-20133) for the transfer of public funds to DHCS to fund the county nonfederal share of Medi-Cal payments for SMHS furnished by the County, for the period of July 1, 2023 through December 31, 2026; and
- c) Determine that the above actions are government funding mechanisms or other government fiscal activities that 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) COMMUNITY SERVICES DEPARTMENT[23-01034](#)

Consider recommendations regarding the approval and execution of Buellton Garden Apartments Affordable Housing Development (Project) County Loan Documents that include \$1,500,000.00 in County funds and associated Subordination Agreements, and approval of a Substantial Amendment to the Fiscal Year (FY) 2022-2023 Annual Action, Third District, as follows:

- a) Approve a Substantial Amendment to the FY 2022-2023 Action Plan, which adds One Million, Two Hundred Fifty-Four Thousand, Three Hundred Fifty-Two Dollars (\$1,254,352.00) in HOME Funds for a loan to Buellton Garden Apartments, L.P. for development of the Project located at 10 McMurray Road in the City of Buellton, and direct staff to submit the Substantial Amendment to the U.S Department of Housing and Urban Development (HUD);
- b) Approve a County Loan Agreement, Promissory Note, County Deed of Trust, and County Regulatory Agreement (collectively, the County Loan Documents) memorializing the terms and conditions of a \$1,500,000.00 loan to Buellton Garden Apartments, L.P. (Loan), of which \$1,254,352.00 is from the County's allocation of Federal HOME funds, and \$245,648.00 is from the County's allocation of State Permanent Local Housing Allocation (PLHA) funds;
- c) Authorize the Chair to execute the County Loan Agreement and County Regulatory Agreement;
- d) Approve and Authorize the Chair to execute a Subordination Agreement, subordinating the County Deed of Trust to a loan by Wells Fargo Bank;
- e) Approve and Authorize the Chair to execute a Subordination Agreement, subordinating the County Deed of Trust and County Regulatory Agreement to a loan by the State of California Housing and Community Development Department through the Joe Serna Farmworker Housing Program and through the Multi-Family Housing Program (State Subordination Agreement), and approved as to form by County Counsel; and
- f) Find that a Mitigated Negative Declaration for the Project was prepared in accordance with Sections 15070-15074 of the California Environmental Quality Act guidelines.

A-6) COMMUNITY SERVICES DEPARTMENT**23-01031**

Consider recommendations regarding the approval of Fiscal Year (FY) 2018-2019, FY 2019-2020, and FY 2020-2021 Substantial Action Plan Amendments, as follows:

- a) Approve and authorize Substantial Amendments to the 2018-2019, 2019-2020, and 2020-2021 Annual Action Plans (Action Plan Amendments) for submittal to Housing and Urban Development (HUD), which adds \$1,250,000.00 in federal HOME Investment Partnership Program (HOME) funds for the Polo Village Apartments Affordable Housing Development project (Polo Village); and
- b) Determine that the recommended action is exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15378(b)(4), finding that the action is 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 impact on the environment.

A-7) COMMUNITY SERVICES DEPARTMENT**23-01038**

Consider recommendations regarding the approval and execution of a Third Amendment to the Agreement with Friendship Adult Day Care Center, Inc. to amend the budget, as follows:

- a) Approve and authorize the Chair of the Board of Supervisors to execute a Third Amendment to the Human Services General Fund Agreement with Friendship Adult Day Care Center, Inc. to amend the Budget to add a new Budget line item for “Salaries and Benefits”; and
- b) Determine that the 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 actions are not a project as they are 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 impact on the environment, and direct staff to file a Notice of Exemption.

A-8) COMMUNITY SERVICES DEPARTMENT23-01036

Consider recommendations regarding the approval of Subrecipient Agreements with Good Samaritan Shelter (GSS) to Operate Hope Village, a Subrecipient Agreement with DignityMoves, La Posada LLC, and Amendments to the Ground Lease and Development Management Agreement with DignityMoves for the La Posada Project, as follows:

- a) Approve and authorize the Chair to execute a Subrecipient Agreement for the distribution of American Rescue Plan Act (ARPA) funding for COVID-19 Recovery in Housing and Homelessness with GSS, subject to annual appropriations and budget approval, for an amount not to exceed \$1,000,000.00 for Operations and Services of Hope Village DignityMoves Interim Supportive Temporary Emergency Housing Santa Maria Project;
- b) Approve and authorize the Chair to execute a Subrecipient Agreement for the distribution of Homeless Housing Assistance and Prevention Program (HHAP) with GSS, subject to annual appropriations and budget approval, for an amount not to exceed \$1,829,317.00 for Operations and Services of Hope Village DignityMoves Interim Supportive Temporary Emergency Housing Santa Maria Project;
- c) Approve and authorize the Chair to execute a Subrecipient agreement with GSS, using California Encampment Resolution Funding (CERF -2) funds for a total contract maximum amount not to exceed \$474,500.00 to provide 10 dedicated beds for interim housing at the Hope Village DignityMoves Interim Supportive Temporary Emergency Housing Santa Maria Project for persons living in encampments near waterways, subject to annual appropriations and budget approval;
- d) Authorize the Chair to execute an amendment to each of the Ground Lease Agreement (Ground Lease Amendment), and Development Management Agreement (DMA Amendment) with Dignity Moves, La Posada LLC, for the use of County-owned property located at 4500 Hollister Ave., Santa Barbara, CA, APNs 061-040-012 and 061-040-024 for the La Posada DignityMoves Interim Supportive Temporary Emergency Housing project;
- e) Authorize the Chair to execute a Subrecipient agreement with Dignity Moves, La Posada LLC, in the total maximum amount not to exceed \$800,000.00 in CERF-2 funds, to purchase modular units and make site improvements for the La Posada DignityMoves Interim Supportive Temporary Emergency Housing project; and
- f) Determine that the above-recommended actions are exempt from the California Environmental Quality Act (CEQA) pursuant to: CEQA Guidelines Section 15269(c); and finding that the actions consist of specific actions necessary to prevent or mitigate an emergency; Government Code Section 8698.4, finding that the County has declared a shelter crisis and the action includes leasing of County-owned land for a homeless shelter and financial assistance; and direct staff to file a Notice of Exemption on these bases.

A-9) COMMUNITY SERVICES DEPARTMENT**23-01039**

Consider recommendations regarding an agreement to provide affordable housing and rental restrictive covenant for Ocean Meadows Residential Development 19DVP-00000-0002, Third District, as follows:

- a) Approve and authorize the Chair to execute the Agreement to provide affordable housing for the Ocean Meadows Residential Development (Agreement) and direct its recordation; and
- b) Find that pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162, no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the Ocean Meadows Residential Development (Project) or the sufficiency or feasibility of mitigation measures, and therefore approval of the Agreement is within the scope of the Project covered by the Final Mitigated Negative Declaration (MND) (20-NGD- 00000-00007), which was adopted by the County Planning Commission on December 1, 2020, and therefore no new environmental documentation is required.

A-10) COMMUNITY SERVICES DEPARTMENT**23-01040**

Consider recommendations regarding Permanent Local Housing Allocation (PLHA) Loan Documents with Good Samaritan Shelter for acquisition and improvements to a single-family residence located at 2260 Tree Line Drive, in the City of Santa Maria, (the “Project”), Fifth District, as follows:

- a) Approve and authorize the Chair to execute, where applicable, County Loan Documents:
 - i) A PLHA Promissory Note and PLHA Deed of Trust, with Good Samaritan Shelter; and
 - ii) Approve and authorize the Chair to execute: A PLHA Loan Agreement and PLHA Regulatory Agreement, with Good Samaritan Shelter, collectively County Loan Documents for a loan in the amount of \$325,000.00 (PLHA Loan) as financial support for the Project; and
- b) Find that the recommended actions related to the proposed Project qualify as a Categorical Exemption based on Section 15303 (New Construction or Conversion of Small Structures) of the California Environmental Quality Act (CEQA).

A-11) COMMUNITY SERVICES DEPARTMENT**23-01046**

Consider recommendations regarding a Racial Equity Grant Program Contract with The Fund for Santa Barbara, as follows:

- a) Determine that Fund for Santa Barbara, Inc. (The Fund) operates grant making programs that are necessary to meet the social needs of the population of the county;
- b) Approve, ratify, and authorize the Chair to execute the Regranting Agreement with The Fund for Santa Barbara for administration of a Racial Equity Grant Program for a total maximum contract amount not to exceed \$275,000.00 for the period of November 7, 2023 through June 30, 2025 (Agreement);
- c) Direct staff to return to the Board to consider The Fund for Santa Barbara's grant recommendations in accordance with the Agreement;
- d) Approve the Budget Revision Request for \$275,000.00; and
- e) Determine that the recommended actions are not a project subject to the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15378(b)(5), because they consist of administrative activities that will not result in a direct or indirect physical change to the environment; and CEQA Guidelines Section 15378(b)(4) because they consist of government fiscal activities that do not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

A-12) COMMUNITY SERVICES DEPARTMENT**23-01048**

Consider recommendations regarding the Third Amendment to the Agreement with Rincon Consultants, Inc. for Climate Action Planning Services, as follows:

- a) Approve and authorize the Chair to execute the Third Amendment to the Agreement with Rincon Consultants, Inc., for climate action planning services to extend the term through June 30, 2024; and
- b) Determine that the above recommended actions are government fiscal activities, which do not involve any commitment to any specific project that 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-13) COMMUNITY SERVICES DEPARTMENT**23-01061**

Consider recommendations regarding the execution of a Community Development Block Grant (CDBG) Subrecipient Agreement with Santa Ynez Valley (SYV) Community Outreach, as follows:

- a) Approve and authorize the Chair to execute a CDBG Subrecipient Agreement in the amount of \$184,885.00 between the County and SYV Senior Citizens' Foundation DBA SYV Community Outreach (SYV Community Outreach), and delegate authority to the Director of the Community Services Department to approve and execute amendments on behalf of the County to make any one or more of the following changes:
 - i) Revisions to the amounts in each budget line item, provided that the overall amount of the CDBG funds is not increased, and additions to or deletions of line items in the budget, provided that all expenditures are eligible under the CDBG Program; or
 - ii) Administrative changes to the Agreement that are necessary in order to conform with federal, state, or local governmental laws and regulations; or
 - iii) Changes extending the contract term up to a maximum of six months; and
- b) Determine that the recommended action is exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15378(b)(4), finding that the actions are 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 impact on the environment.

A-14) COUNTY COUNSEL**23-01053**

Consider recommendations regarding exempting the Administrative Professional Position in the Office of County Counsel from the Civil Service System, as follows:

- a) Adopt the At-Will Resolution exempting the Administrative Professional position in the Office of County Counsel from the County's Civil Service System by designating it as at-will effective November 13, 2023; and
- b) Determine that the above action is a government fiscal activity or funding mechanism which does not involve any commitment to any specific project which may result in potential physical impacts on the environment, and therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA guidelines.

A-15) COUNTY COUNSEL**[23-01055](#)**

Consider recommendations regarding the approval of the eighth Amendment to an Agreement for Professional Legal Services with Outside Counsel Meyers Nave, as follows:
(4/5 Vote Required)

- a) Approve, ratify, and authorize the Chair to execute, on behalf of the County of Santa Barbara and the Santa Barbara County Flood Control and Water Conservation District, the Eighth Amendment to Agreement for Professional Legal Services with the law firm Meyers Nave to increase the contract amount by \$1,450,000.00 for a total not to exceed contract amount of \$8,000,000.00; 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-16) COUNTY COUNSEL**[23-01067](#)**

Consider recommendations regarding a Third Amendment to the Agreement for Professional Legal Services with Outside Counsel Rutan and Tucker, LLP, as follows: (4/5 Vote Required)

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

- a) Approve, ratify, and authorize the Chair to execute the Third Amendment to the Agreement for Professional Legal Services between the Santa Barbara County Flood Control and Water Conservation District and attorney Douglas Dennington, of the law firm Rutan and Tucker, LLP, to increase the maximum contract amount by \$125,000.00 for a new maximum contract amount not to exceed \$575,000.00 and extend the contract term to June 30, 2024; 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-17) COUNTY COUNSEL[23-01057](#)

Consider recommendations regarding Outside Counsel Contract with Hooper, Lundy and Bookman, P.C., as follows: (4/5 Vote Required)

a) Approve, ratify, and authorize the Chair to execute, on behalf of the County of Santa Barbara and the Santa Barbara County Fire Protection District, an Agreement for Professional Legal Services with Hooper, Lundy and Bookman, P.C., with a not-to-exceed amount of \$650,000.00 and a term ending June 30, 2025; 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 State CEQA Guidelines, because they consist of administrative activities of government that will not result in direct or indirect physical changes in the environment.

A-18) COUNTY EXECUTIVE OFFICE[23-01062](#)

Approve Budget Revision Request Nos. 0009354 and 0009419 (Majority Vote Required); and Budget Revision Request Nos. 0009304; 0009330; 0009358; 0009375; 0009376; 0009380; 0009381; 0009385; 0009386; 0009388; 0009389; 0009391; 0009400; 0009402; 0009409; 0009410; 0009411; and 0009418 (4/5 Vote Required).

A-19) COUNTY EXECUTIVE OFFICE[23-01075](#)

Consider recommendations regarding the appointment of the Interim Director of Human Resources, as follows:

a) Approve the appointment of Yvonne Torres as the interim County of Santa Barbara Human Resources Director for the period November 20, 2023 to January 1, 2024; and

b) Determine that the recommended actions are not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(2) because the recommended actions involve continuing administrative or maintenance activity.

A-20) DISTRICT ATTORNEY'S OFFICE**23-01018**

Consider recommendations regarding a Department of Justice (DOJ) Human Trafficking Grant Award Agreement with the District Attorney's Office, as follows: (4/5 Vote Required)

- a) Approve, ratify, and authorize the District Attorney, or designee, to execute a Cooperative Agreement with the United States DOJ accepting the Direct Services to Support Victims of Human Trafficking grant award totaling \$950,000.00 for the period of October 1, 2023 through September 30, 2026;
- b) Approve and authorize the District Attorney, or designee, to execute any amendments to extend the term of the grant agreement through September 30, 2027, and to accept additional grant funding in an amount not to exceed \$300,000.00, with the concurrence of County Counsel, Risk Management, and Auditor-Controller;
- c) Approve Budget Revision Request No. 0009398 to increase expenditures in Fiscal Year 2023-2024 in the amount of \$85,000.00 in District Attorney's Office General Fund for Salaries and Employee Benefits (\$25,000.00) and Services and Supplies (\$60,000.00), funded by unanticipated revenue from Intergovernmental Revenue-Federal (4/5 vote required); and
- d) Determine that the above action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), because it consists 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-21) DISTRICT ATTORNEY'S OFFICE**23-01019**

Consider recommendations regarding Bureau of Justice Assistance (BJA) Smart Prosecution Innovative Prosecution Solutions Program Cooperative Agreement, as follows: (4/5 Vote Required)

- a) Approve, ratify, and authorize the District Attorney, or designee, to execute a Cooperative Agreement with the United States Department of Justice (DOJ) BJA accepting \$385,000.00 in funding for the Smart Prosecution: Innovative Prosecution Solutions Program grant for the grant agreement term of October 1, 2023 through September 30, 2025;
- b) Approve and authorize the District Attorney, or designee, to execute any amendments or extensions thereof through September 30, 2026, not to exceed \$200,000.00, with the concurrence of County Counsel and Auditor-Controller;
- c) Approve Budget Revision Request No. 0009384 to increase appropriations of \$229,000.00 in the District Attorney's Office General Fund for Services and Supplies funded by unanticipated revenue from the BJA Smart Prosecution: Innovative Prosecution Solutions Program grant; and

d) Determine that the above action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), because it consists 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-22) DISTRICT ATTORNEY'S OFFICE

23-01021

Consider recommendations regarding the Release of Fiscal Year 2023-2024 Set-Aside Funds to the District Attorney for a Parole Hearings Deputy District Attorney Position, as follows:
(4/5 Vote Required)

a) Adopt a Resolution amending the Salary Resolution to allocate one (1) additional full-time equivalent (1.0 FTE) position to the Office of the District Attorney, effective November 13, 2023;

b) Approve Budget Revision Request No. 0009394 to increase appropriations of \$90,300.00 in General County Programs General Fund for Intrafund Expenditure Transfers funded by release of Unassigned Fund Balance, and increase appropriations of \$90,300.00 in the District Attorney General Fund for Salary and Benefits (\$90,300.00), funded by Intergovernmental Revenue - State Proposition 172 funds; 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-23) DISTRICT ATTORNEY'S OFFICE

23-01020

Consider recommendations regarding California Office of Emergency Services (Cal OES) Pandemic Unemployment Assistance and Unemployment Insurance Anti-Fraud Program (PG) Grant Award, Subaward No. PG23 01 0420, Salary Resolution Amendment, as follows:
(4/5 Vote Required)

a) Adopt a Resolution authorizing the District Attorney to execute a multi-year grant agreement with the Cal OES for the PG grant accepting \$511,095.00 for the grant agreement term of July 1, 2023 through March 31, 2025;

b) Approve, ratify, and authorize the District Attorney, or designee, to execute the Grant Award Agreement with Cal OES accepting \$511,095.00 in funding for the PG grant program for the 21-month grant agreement term of July 1, 2023 through March 31, 2025;

c) Approve Budget Revision Request No. 0009350 to increase appropriations of \$292,000.00 in the District Attorney General Fund for Salaries and Employee and Benefits (\$265,500.00) and Service and Supplies (\$26,500.00), funded by unanticipated revenues from the Cal OES PG grant (4/5 vote required);

d) Approve and authorize the District Attorney, or designee, to execute any amendments to the Grant Agreement extending the term thereof through September 30, 2025, or for a supplemental grant award in the amount not to exceed \$100,000.00, with the concurrence of County Counsel, Risk Management, and Auditor-Controller;

e) Adopt a Resolution amending the Salary Resolution to allocate one (1) additional full-time equivalent (1.0 FTE) position to the Office of the District Attorney, effective November 13, 2023, which will be fully-funded by one-time Cal OES PG grant funds; and

f) Determine that the above actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), because they consist 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-24) GENERAL SERVICES DEPARTMENT

23-01017

Consider recommendation regarding Santa Barbara Courthouse Project No. 23012, Award Construction Contract for Phase Two of the Roof Renovation and Exterior Envelope Restoration Project, First District, as follows:

a) Approve the plans and specifications for the Santa Barbara Courthouse Roof Renovation and Envelope Restoration Project on file in the General Services Capital Projects office;

b) Approve and authorize the Chair to execute the construction contract with the lowest responsible bidder, Plant Construction Company, L.P., in the base amount of \$2,456,581.00, to rehabilitate the Phase Two portion of the Santa Barbara Courthouse roof and restore the exterior envelope, and to execute approved roofing and exterior allowances, if deemed necessary, in an amount not to exceed \$185,010.00, for a combined amount of up to \$2,641,591.00, subject to the provisions of the documents and certifications as set forth in the plans and specifications applicable to the project located at 1100 Anacapa Street, Santa Barbara, CA, and as required by California Law;

c) Authorize the Director of General Services, or his designee, to approve change orders under the Contract in an aggregate amount not to exceed \$144,579.55, as authorized under Public Contract Code Section 20142;

d) Approve a Percent for Art appropriation in the amount of \$35,000.00 to be deposited into the County Arts Fund in accordance with Section 7A-3 of the County Code; and

e) Determine that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15331 of the State Guidelines for the Implementation of CEQA which consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing

Historic Buildings.

A-25) GENERAL SERVICES DEPARTMENT, PUBLIC WORKS DEPARTMENT

[23-01060](#)

Consider recommendations regarding the Proposed Vacation of portions of Right-of-Way of Soria Drive, Avila Way, Alicante Drive, Malaga Way and Oporto Way, and Public Utility Easements within Tract Map No. 10,036, Santa Maria; Fourth District, as follows:

- a) Approve, adopt, and authorize staff to record the Resolution and Summary Order to Vacate Public Utility Easements between Soria Drive and Alicante Drive, located within Tract Map No. 10,036;
- b) Approve, adopt, and authorize staff to record the Resolution and Summary Order to Vacate County Roads vacating a portion of Soria Drive, Avila Way, Alicante Drive, Malaga Way and Oporto Way, located within Tract Map No. 10,036; and
- c) Determine that the proposed action is exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15061(b)(3), No Possibility of an Environmental Impact, and approve and direct staff to file and post the Notice of Exemption on that basis.

A-26) GENERAL SERVICES DEPARTMENT, PUBLIC WORKS DEPARTMENT

[23-01026](#)

Consider recommendations regarding a Real Property Agreement and Grant of Easements for Toro Canyon Oil Water Separator, First District, as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute a Real Property Agreement with Mary McEwen and Dan Bellaart, Trustees of The McEwen-Bellaart Family 2015 Revocable Living Trust Dated July 22, 2015 for acquisition of a permanent easement over APN 155-020-041 in exchange for a portion of APN 155-020-015 in connection with the Toro Canyon Oil Water Separator;
- b) Accept the Easement Deed from Mary McEwen and Dan Bellaart for an easement on APN 155-020-041 and authorize the Clerk of the Board to execute the Certificate of Acceptance;
- c) Authorize the Chair to execute a Grant Deed to Mary McEwen and Dan Bellaart, Trustees of The McEwen-Bellaart Family 2015 Revocable Living Trust Dated July 22, over a portion of APN 155-020-015, while reserving a permanent non-exclusive easement therefrom not required for County use, pursuant to Government Code Section 25365;
- d) Authorize the Public Works Director, or their designee, to execute any supporting documents to complete this transaction; and
- e) Find that pursuant to the California Environmental Quality Act Guidelines Section 15378(b)(5) the proposed actions do not constitute a "Project," in that they are government administrative activities that will not result in direct or indirect changes in the environment.

A-27) HUMAN RESOURCES DEPARTMENT**23-01016**

Consider recommendations regarding the 2022-2023 Annual Report of the Civil Service Commission, as follows:

- a) Receive and file the Annual Report of the Civil Service Commission for Fiscal Year 2022-2023; and
- b) Determine pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) that the above action is a government 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-28) HUMAN RESOURCES DEPARTMENT**23-01071**

Consider recommendations regarding a Custody Deputy New Hire Incentive Program, as follows:

- a) Adopt a Resolution requiring the inclusion of a new hire incentive of \$30,000.00 in advertising efforts made to fill all Custody Deputy vacancies, and all job offers made to candidates eligible to fill Custody Deputy vacancies;
- b) Approve the use of General County Programs Proposition 172 set-aside fund balance as needed to fund the Custody Deputy New Hire Incentive Program, in accordance with the Fiscal Year (FY) 2023-2024 Budget Development Policy approved by the Board on October 18, 2022. Corresponding budget revisions will be subsequently brought to the Board for approval as funds are needed to support the program; and
- c) Determine that the above actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), because they consist of government funding mechanisms and/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-29) PLANNING AND DEVELOPMENT DEPARTMENT**23-01049**

Consider recommendations regarding an amended Resolution Designating Rocky Nook Park as a County Historic Landmark, First District, as follows:

- a) Adopt an amended Resolution with conditions, designating Rocky Nook Park located at 610 Mission Canyon Road, Santa Barbara, CA 93105 as a County Historic Landmark; and
- b) Determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15308.

A-30) PUBLIC HEALTH DEPARTMENT**23-01054**

Consider recommendations regarding the Bridge Access Program for Fiscal Year (FY) 2023-2024 and FY 2024-2025, as follows: (4/5 Vote Required)

- a) Approve, ratify, and authorize the Public Health Department Director to accept and receive funding for the County's Federally Qualified Health Centers through the Health Resources and Services Administration Grant Award H8LCS51497-01-00 from the Affordable Care Act (ACA) Grants for New and Expanded Services Under the Health Center Program as funded through a sub-account in the Payment Management System (PMS) for the period of September 1, 2023 through December 31, 2024 in the amount of \$56,818.00; and
- b) Approve and authorize Budget Revision Request No. 0009362 in the amount of \$56,818.00 to establish appropriations for \$56,818.00 of unanticipated revenue from the Federal Government for Health Resources and Administration supplemental funding for personnel expenses supporting COVID-related activities (\$4,618.00) and COVID testing supplies (\$52,200.00) for FY 2023-2024 and 2024-2025 in the County's financial system; and
- c) Determine that the recommended actions are not a "Project" with the meaning of the California Environmental Quality Act (CEQA) and is exempt 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-31) PUBLIC HEALTH DEPARTMENT**23-01063**

Consider recommendations regarding an Outpatient Professional Services Agreement with Marian Regional Medical Center, as follows:

- a) Approve, ratify, and authorize the Chair to execute a Professional Services Agreement with Marian Regional Medical Center (a local vendor) for outpatient professional services with a period for performance from October 1, 2023 through September 30, 2028 at no cost (\$0) to either party;
- b) Approve and authorize the Director of Public Health, or designee, to make immaterial changes in accordance with Section 33 of the Agreement and to agree to additional residents in future years;
- c) Delegate authority to the Director of the Public Health Department or designee to take actions necessary for the administration of the Agreement including executing the Program Letter of Agreement, subject to the Board's ability to rescind this delegated authority at any time; and
- d) Determine that the recommended actions are not a Project within the meaning of California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA Guidelines, because the actions are organizational or administrative activities of

government that will not result in direct or indirect physical changes in the environment.

A-32) PUBLIC WORKS DEPARTMENT**23-01023**

Consider recommendations regarding a Contract for Maintenance and Replacement of Material Recovery Facility Biofilter at the Tajiguas ReSource Center, County Project No. 828385, Third District, as follows:

- a) Approve plans and specifications for maintenance and replacement of Material Recovery Facility Biofilter at the Tajiguas ReSource Center;
- b) Approve and authorize the Chair to execute the contract with Diani Building Corporation (a local vendor) in the base amount of \$2,823,658.00 for maintenance and replacement of the biofilter at the Material Recovery Facility at a Santa Barbara County facility, 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 Public Works, or his designee, to approve change orders in connection with the Contract, in an amount not to exceed \$153,683.00; and
- d) After considering the second Addendum dated August 15, 2023 to the environmental review documents (Revised Addendum to the Subsequent Environmental Impact Report (EIR), considered on November 14, 2017, Subsequent EIR No. 12EIR-00000-00002, SCH No. 2012041068 certified by the Board on July 12, 2016 and Subsequent EIR Revision Letter and Errata dated May 27, 2016), find that no subsequent environmental review document shall be prepared pursuant to the California Environmental Quality Act Guidelines Section 15162 related to the Revised Tajiguas Resource Recovery Project (now the ReSource Center), since there are no substantial changes proposed in the project and no substantial changes have occurred with respect to the circumstances under which the project is undertaken that will require major revisions to the EIR due to new or substantially increased significant impacts, and there is no new information of substantial importance showing new or substantially increased significant impacts or impacts to new or previously analyzed mitigation measures or alternatives that would substantially reduce significant impacts.

A-33) PUBLIC WORKS DEPARTMENT**23-01024**

Consider recommendations regarding the Tajiguas Sanitary Landfill Groundwater Protection System Phase IIIF for Fiscal Year 2022-2023, County Project No. 828396, Third District, as follows:

- a) Approve and authorize the Chair to execute the Statement of Final Quantities for work performed and materials supplied for the Tajiguas Sanitary Landfill Groundwater Protection System Phase IIIF, Fiscal Year 2022-2023 Project by the contractor, Raminha Construction, Inc. in the amount of \$1,247,115.09; and
- b) Determine that the proposed action is not a project under the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15378(b)(5), because it consists of an administrative activity of government that will not result in direct or indirect physical changes

in the environment.

A-34) PUBLIC WORKS DEPARTMENT**23-01022**

Consider recommendations regarding the authority to advertise for Tajiguas Sanitary Landfill Main Access Road Extension and Site Improvements for Fiscal Year 2024-2025, Third District, as follows:

- a) Authorize the Director of Public Works to advertise for bids on the construction of the Tajiguas Sanitary Landfill Main Access Road Extension and Site Improvements Fiscal Year 2024-2025 Project; and
- b) Determine that pursuant to California Environmental Quality Act Guidelines Section 15162, no substantial changes are proposed or have occurred, and no new information of substantial importance has come to light regarding environmental effects of the Tajiguas Sanitary Landfill Main Access Road Extension and Site Improvements Fiscal Year 2024-2025 Project, or of the sufficiency or feasibility of mitigation measures. Therefore, the authority to advertise for bids for construction of the project is within the scope of the project covered by the Tajiguas Landfill Expansion Project Environmental Impact Report (EIR) (01-EIR-05) certified by the Board on August 13, 2002, the Addendum to 01-EIR-05 dated November 8, 2006 and accepted by the Board on December 5, 2006, and the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project Subsequent EIR (08-EIR-00000-00007) (SCH No. 2008201052) certified by the Board on May 5, 2009, and that no new environmental document is required.

A-35) PUBLIC WORKS DEPARTMENT**23-01050**

Consider recommendations regarding a Public Works Director's Report on Emergency Response Actions from Impacts of Flooding and Storms and Continuation of Emergency Actions, as follows: (4/5 Vote Required)

- a) Receive and review a report from the Public Works Director regarding emergency actions taken pursuant to Resolution No. 19-327 and Public Contract Code section 22050 related to emergency operations responding to flooding, storms, debris removal and transportation projects following the recent storm events and the necessity of the action and the reasons the emergency will not permit delay resulting from competitive solicitation of bids;
- b) Determine that there is a need to continue the emergency actions ordered by the Public Works Director (4/5 vote required);
- c) Direct staff to return to the Board at the next regular meeting, or every 14 days in the case of consecutive weekly regular meetings, to allow the Board to review the emergency action and determine whether there is a need to continue the emergency action, by a 4/5 vote, until the actions are terminated; and
- d) Determine that these emergency actions were found by the Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15269(d) on February 7, 2023. A Notice of Exemption was filed on this basis on February 7, 2023, and the proposed action is within the scope of that Notice of

Exemption.

A-36) PUBLIC WORKS DEPARTMENT

23-01051

Consider recommendations regarding the First Amendment to the Agreement with Gray Quarter, Inc., for the Accela Migration Project, as follows:

a) Approve and authorize the Chair to execute a First Amendment to the Professional Services Agreement with Gray Quarter, Inc. (not a local vendor) for additional services in the amount of \$24,580.00 for a total Agreement amount not to exceed \$233,380.00 for software modernization and migration services for the Public Works Department with a period of performance from December 15, 2022 through June 30, 2024; and

b) Determine that the recommended actions are not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Sections 15378(b)(2) and 15378(b)(5) because the recommended actions involve continuing administrative or maintenance activity, and involve organizational or administrative activity of government that will not result in the direct or indirect physical change in the environment.

A-37) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

23-01028

Consider recommendations regarding a Public Works Director's Report on Emergency Response Actions from Impacts of Flooding and Storms and Continuation of Emergency Actions, Various Districts, as follows: (4/5 Vote Required)

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

a) Receive and review a report from the Public Works Director regarding emergency actions taken pursuant to Resolution No. 19-327 and Public Contract Code section 22050 related to emergency operations responding to flooding, storms, and debris removal projects following the 2023 winter storm events and the necessity of the action and the reasons the emergency will not permit delay resulting from competitive solicitation of bids;

b) Determine that there is a need to continue the emergency actions ordered by the Public Works Director (4/5 vote required);

c) Direct staff to return to the Board every 14 days to allow the Board to review the emergency action and determine whether there is a need to continue the emergency action, by a 4/5 vote, until the actions are terminated; and

d) Determine that these emergency actions were found by the Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15269(c) and a Notice of Exemption was filed on this basis on January 24, 2023, and the proposed action is within the scope of that Notice of Exemption. Also determine that emergency actions for the Santa Maria River Restoration of Alignment Project were found by the Board to be exempt from the provisions of the State CEQA pursuant to Executive Order N-10-23, as well as State CEQA Guidelines Section 15269(c) on September 12, 2023, and the proposed action is within the scope of the Notice of Exemption filed on September 19, 2023.

A-38) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, WATER AGENCY

[23-01029](#)

Consider recommendations regarding authorization to execute integrated regional water management implementation grant subgrant agreements pursuant to California Proposition 1 Implementation Round 2 Integrated Regional Water Management Grant Funding, as follows:

Acting as the Board of Directors, Water Agency:

- a) Approve and authorize the Public Works Director or his designee to execute Proposition 1 Integrated Regional Water Management Implementation Grant Subgrant Agreements and all necessary subsequent agreements or amendments with the City of Lompoc, the City of Guadalupe, the Carpinteria Valley Water District, and the Cachuma Operation and Maintenance Board, pursuant to the Proposition 1 Implementation Round 2 Integrated Regional Water Management Grant; and
- b) Find that these actions do not constitute “Projects” within the meaning of the California Environmental Quality Act pursuant to 14 CCR 15378 (b)(4).

A-39) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

[23-01025](#)

Consider recommendations regarding Multipurpose Disposal Site Material Sorting Emergency Project, First District, as follows:

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

- a) Approve and authorize the Chair to execute the Statement of Final Quantities for work performed for the Multipurpose Disposal Site Material Sorting Emergency Project (Project No. 23STM1-S51M) by the contractor Remedial Transportation Services, Inc. (not a local vendor) in the amount of \$234,569.00; and
- b) Determine that these emergency actions were found by the Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15269(c) - Emergency Projects. A Notice of Exemption was filed on this basis on January 24, 2023, and the proposed action is within the scope of that Notice of Exemption.

A-40) SHERIFF-CORONER OFFICE**23-01011**

Consider recommendations regarding an Inmate Welfare Fund Annual Statement for Fiscal Year 2022-2023, as follows:

- a) Receive and file the Annual Statement for the Inmate Welfare Fund for Fiscal Year 2022-2023; and
- b) Find that the proposed actions do not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to 14 CCR 15378(b)(5), in that they are government administrative activities that will not result in direct or indirect changes to the environment.

A-41) SHERIFF-CORONER OFFICE**23-01052**

Consider recommendations regarding a Service Agreement with the Santa Ynez Valley Union High School District for Law Enforcement Services, as follows: (4/5 Vote Required)

- a) Approve, ratify, and authorize the Chair to execute an Agreement for law enforcement services with the Santa Ynez Valley Union High School District (\$168,725.00) for School Resource Deputy (SRD) services starting on August 1, 2023 and ending on June 30, 2024;
- b) Authorize the Sheriff to extend the Agreement for two separate one-year extensions;
- c) Approve Budget Revision Request No. 0009268 to increase appropriations of \$168,725.00 in Sheriff's Office General Fund, to be fully reimbursed for services provided to the Santa Ynez Valley Union High School District; and
- d) 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 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-42) SHERIFF-CORONER OFFICE**23-01059**

Consider recommendations regarding Sheriff's Volunteer Response (SVR) Agreement between the Santa Barbara Sheriff's Office and the City of Santa Barbara, as follows:

- a) Approve, ratify, and authorize the Chair to execute an Agreement with the City of Santa Barbara to provide law enforcement and custody operations coverage for special events SVR, including the 2023 Old Spanish Days Fiesta, and other events as needed for the period of August 3, 2023 through June 30, 2024, with revenues not to exceed \$50,000.00; 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-43) SHERIFF-CORONER OFFICE**[23-01058](#)**

Consider recommendations regarding a Request for Waiver of Competition for the Purchase of a Randox Toxicology Multistat Analyzer, as follows:

a) Authorize the Purchasing Agent to procure a Randox Toxicology Multistat Analyzer for the Santa Barbara Sheriff's Office for a one-time cost of \$46,000.00 and an additional \$10,000.00 per year on an ongoing basis to purchase biochip cartridges, without being required to conduct a formal competitive bid process;

b) Approve Budget Revision Request No. 0009382 transferring the funding between object levels to complete the capital purchase; and

c) 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-44) SHERIFF-CORONER OFFICE**[23-01065](#)**

Consider recommendations regarding the acceptance of Surrendered and Abandoned Vessel Exchange (SAVE-23) Grant Award, as follows: (4/5 Vote Required)

a) Adopt a Resolution authorizing the Sheriff to accept the award of \$25,000.00 and to execute the grant agreement for the SAVE-23 with the State of California;

b) Approve, ratify, and authorize Sheriff Bill Brown to execute the grant agreement accepting \$25,000.00 for the SAVE-23 grant;

c) Approve Budget Revision Request No. 0009364 to increase appropriations from SAVE-23 revenue;

d) Approve, ratify, and authorize Sheriff Bill Brown to execute the Grantee Certification Clause; and

e) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review 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 a potentially significant physical impact on the environment.

Board of Supervisors**A-45) SUPERVISOR WILLIAMS****[23-01014](#)**

Approve the reappointment of Marilyn Anticouni to the Assessment Appeals Board No. 1, term ending August 31, 2026, First District.

A-46) SUPERVISOR NELSON**23-01064**

Approve the appointment of Karen Draper to the Behavioral Wellness Commission, term ending January 1, 2024, Fourth District.

A-47) SUPERVISOR NELSON**23-01030**

Consider recommendations regarding the authorization of funding from the Fourth District General County Programs Department 990 discretionary funding to Local Organizations Serving Veterans and Youth Sports, as follows:

- a) Approve and authorize the contribution of \$5,000.00 to Healing Heroes Through Horsemanship, Inc, (a 501(c)(3) nonprofit) from the Fiscal Year (FY) 2023-2024 Fourth District General County Programs Dept 990 discretionary funding;
- b) Approve and authorize the contribution of, and not-to-exceed amount of \$15,000.00, from the FY 2023-2024 Fourth District General County Programs Dept 990 discretionary funding to various youth sports organizations throughout the District;
- c) Find that the project provides a community benefit that meets the social needs of the County; and
- d) Determine that the above actions are organizational or administrative activities of the government that will not result in direct or indirect physical changes in the environment and are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines.

Hearing Requests**A-48) COMMUNITY SERVICES DEPARTMENT****23-01043**

Set a hearing to consider recommendations regarding an Ordinance to Amend County Code Chapter 46A Inclusionary Housing, as follows:

(Set a hearing for November 28, 2023. Time estimate: 30 minutes)

- a) Consider the introduction (first reading) of an Ordinance to amend County Code Chapter 46A to revise Section 46A-3;
- b) Set a hearing on the Administrative Agenda for December 5, 2023, to consider the adoption (second reading) of an Ordinance to amend County Code Chapter 46A to revise Section 46A-3; and
- c) Determine that the proposed action does not constitute a “Project” within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA Guidelines, because it consists of an organizational or administrative activity of government which will not result in direct or indirect physical changes in the environment.

Honorary Resolutions

- A-49) SUPERVISOR WILLIAMS [23-01012](#)

Adopt a Resolution honoring Sharon Byrne as the 2023 Montecito Association Citizen of the year in Santa Barbara County.

- A-50) SUPERVISOR WILLIAMS [23-01047](#)

Adopt a Resolution of Commendation honoring Maria Elena de Guevara upon her retirement from the Human Resources Department and for her faithful and distinguished service to the County of Santa Barbara.

Resolutions to be Presented

- A-51) SUPERVISOR WILLIAMS [23-01013](#)

Adopt a Resolution of Commendation honoring Lilla M. Smith of the Human Resource Department as the November 2023 Employee of the Month in Santa Barbara County.

- A-52) SUPERVISOR HARTMANN [23-01027](#)

Adopt a Resolution recognizing the remarkable Life-Saving Emergency Response by Juan Romero, Jason White, Jackson James and Others at Hollister Ranch in Santa Barbara County.

- A-53) SUPERVISOR WILLIAMS, SUPERVISOR HARTMANN [23-01045](#)

Adopt a Resolution proclaiming November 12, 2023 through November 18, 2023 as Nurse Practitioner Week in Santa Barbara County.

- A-54) SUPERVISOR HARTMANN [23-01044](#)

Adopt a Resolution proclaiming November 18, 2023 as Take a Hike Day in Santa Barbara County.

- A-55) SUPERVISOR NELSON, SUPERVISOR LAVAGNINO [23-01069](#)

Adopt a Resolution of Commendation honoring Willie Galvan for dedicating his life to serving his country and advocating relentlessly for the youth and veterans of his community.

- A-56) SUPERVISOR LAVAGNINO [23-01072](#)

Adopt a Resolution of Commendation honoring RW Scott Construction Co. and Vince Lopez Jr. and Sons General Engineering for a job well done and thanking them for their hard work and dedication to the community.

- A-57) SUPERVISOR WILLIAMS, SUPERVISOR HARTMANN [23-01073](#)

Adopt a Resolution in support of Israel's right to security, peace and commitment to combating anti-Semitism and Islamophobia.

Administrative Item**A-58) FIRE DEPARTMENT**[23-01074](#)

Consider recommendations regarding an Emergency Medical Services (EMS) Ambulance Transportation Implementation Plan and Funding and Salary Resolution Amendment, as follows: (4/5 Vote Required)

- a) Receive and file the EMS Ambulance Transport Implementation Plan for the Fire District;
- b) Approve Budget Revision No. 0009421 in the amount of \$18,650,600.00 from ambulance transport revenues and a reduction in Other Financing Uses to fund the startup and Fiscal Year 2023-2024 operational costs associated with the EMS Ambulance Transportation System; and
- c) Adopt a Resolution amending the Salary Resolution, which adds one hundred twenty-three (123.0) full-time equivalent (FTE) positions, to include 36.0 FTE Ambulance Operator EMTs (24 Hour Shift), 26.0 FTE Ambulance Operator EMTs, 39.0 FTE Ambulance Operator Paramedics (24 Hour Shift), 18.0 FTE Ambulance Operator Paramedics 3.0 FTE Senior Staff Nurse, and 1.0 FTE Enterprise Leader to the Fire Department, effective November 7, 2023; and
- d) 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.

Approval of Administrative Agenda[23-00002](#)**Public 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) (23-00002)

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

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE

[23-00979](#)

HEARING - Consider recommendations regarding 2023 Winter Storms Disaster Recovery Cashflow Needs, as follows: (4/5 Vote Required) (EST. TIME: 20 MIN.)

- a) Receive and file an update on the Winter 2023 Storms and their impacts;
- b) Approve Budget Revision Request No. 0009331 for \$24,544,700.00 for Public Works Transportation and Community Services Parks 2023 Winter Storms Disaster Recovery Projects; and
- c) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA), because pursuant to Section 15378(b)(5) of the CEQA Guidelines the actions consist of organizational or administrative activities of government that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

2) BEHAVIORAL WELLNESS DEPARTMENT

[23-01042](#)

HEARING - Consider recommendations regarding a Santa Barbara County Psychiatric Health Facility (PHF) Report, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file a Fiscal Years 2019-2023 report on the Santa Barbara County PHF, providing an 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 action is an organizational or administrative activity of the government that will not result in direct or indirect physical changes in the environment and is therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) HUMAN RESOURCES DEPARTMENT[23-01070](#)

HEARING - Consider recommendations regarding the Management Classification and Compensation Plan Project Update, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file an update on the previously authorized Management Classification and Compensation project;
- b) Accept the proposed executive and management classification structure and the additional compensation components;
- c) Direct County Human Resources (CoHR) to finalize all administrative aspects of the new Management Classification and Compensation structure, and to prepare any modifications to the Civil Service Rules and Resolutions; and
- d) Determine that the above actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), because they consist of government funding mechanisms and/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.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

4) PROBATION DEPARTMENT, SHERIFF-CORONER OFFICE[23-01037](#)

HEARING - Consider recommendations regarding Alternative Sentencing (AS) program data, expansions, and enhancements, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file a presentation on AS program data, expansions and enhancements;
- b) Review the rules and regulations and administrative policy of the AS program as required on an annual basis pursuant to Penal Code (PC) Section 1203.016(d)(1); and
- c) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA), because pursuant to Sections 15378(b)(5) the recommended actions consist of organizational or administrative activities of government that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

5) SUPERVISOR CAPPS23-01041

HEARING - Consider recommendations regarding an Isla Vista Bluffs Update and Ordinance Amendments, as follows: (4/5 Vote Required) (EST. TIME: 1 HR.)

- a) Receive and file report on raising the heights of bluff fencing and railings in Isla Vista and on permitting requirements for different zoning types along Del Playa in Isla Vista;
- b) Approve the introduction (First Reading) of an Ordinance to amend Santa Barbara County Code, Chapter 10, titled Building Regulations, Article II, Part II, section 10-14.2 to raise the mandatory height for railings and fencing along the Isla Vista Bluffs;
- c) Approve the introduction (First Reading) of an Ordinance to amend Ordinance 4991, Santa Barbara County Planning and Development Fee Ordinance, to allow Director of Planning and Development to waive permitting fees for good cause for fencing and railings along the Isla Vista Bluffs;
- d) Find that waiving permitting fees for fencing and railings on private property along the Isla Vista bluffs is necessary to meet the social needs of the population of the County, including public safety, and this fulfills an important public purpose of enhancing public safety;
- e) Read the title of the above Ordinances and waive full reading of the Ordinances;
- f) Direct the Community Services Department, Parks Division staff to revise the existing project to move bluff top fencing in County Parks in Isla Vista to include increasing the height of the existing fence from 4 to 6 feet and submit any required permitting;
- g) Direct the Community Services Department, Parks Division staff to report back on options for lighting, warning signs, reducing vandalism of warning signs, the use of horticulture options as a natural barrier, and community collaboration for public restrooms at County Parks on the Isla Vista Bluffs;
- h) Approve Budget Revision Request No. 0009422 that includes the following:
 - i) Use of South County- Trails and Open Space set-aside in the amount of \$180,000.00 to provide funding for the Community Services Department, Parks Division, to fund and revise existing bluff fencing project to increase fencing height to six feet; work with consultants and community stakeholders on lighting and landscape design and collaboration with Isla Vista stakeholders;
 - ii) \$90,000.00 from the Fiscal Year (FY) 2023-2024 Second District 990 allocation that was budgeted to each supervisor's office and \$10,000.00 from FY 2022-2023 Second District 990 fund balance to provide funding to reimburse the County up to \$100,000.00 for permitting fees and Planning and Development staff time that may be waived for good cause to process permit applications from private property owners along the Isla Vista Bluffs; and
- i) Continue the hearing to the Administrative Agenda of November 28, 2023 to consider

adoption of the of ordinance amendments, as follows:

- i) Adopt the Ordinance (Second Reading) amending Santa Barbara County Code, Chapter 10, titled Building Regulations, Article II, Part II, section 10-14.2 to raise the mandatory height for railings and fencing along the Isla Vista Bluffs;
- ii) Adopt the Ordinance (Second Reading) amending Ordinance 4991, Santa Barbara County Planning and Development Fee Ordinance, to allow Director of Planning and Development to waive permitting fees for good cause for fencing and railings along the Isla Vista Bluffs; and
- iii) Determine that these ordinance amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Sections 15061(b)(3) and 15378(b)(5), because there is no possibility that the action in question may have a significant effect on the environment and this is an organizational or administrative activity that will not result in any direct or indirect physical changes in the environment.

6) PLANNING AND DEVELOPMENT DEPARTMENT

[23-01035](#)

HEARING - Consider recommendations regarding the County Planning Commission (CPC) and Montecito Planning Commission (MPC) recommended Ordinance amendments to the County Land Use and Development Code (LUDC), Montecito Land Use and Development Code (MLUDC), and Article II, Coastal Zoning Ordinance (CZO) (as applicable) to revise the permitting and development standards for Accessory Dwelling Units (ADUs); eliminate the Shopping Center (SC) zone district and rezone these properties to Retail Commercial (C-2); and implement a series of minor amendments that address emerging issues and correct and clarify existing language, and consider the adoption of an amendment to the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules) to revise the existing ADU definition, as follows: (EST. TIME: 45 MIN.)

- a) Make the required findings for approval of the zoning code amendments, including California Environmental Quality Act (CEQA) findings;
- b) Determine that adoption of the LUDC (Case No. 23ORD-00007), MLUDC (Case No. 23ORD-00008), CZO (Case No. 23ORD-00009), and County Zoning Map (Case No. 23RZN-00003) amendments are exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3), 15265, and 15282(h);
- c) Adopt the Ordinances (3) to amend the LUDC (Case No. 23ORD-00007), MLUDC (Case No. 23ORD-00008), and CZO (Case No. 23ORD-00009);
- d) Adopt an Ordinance to amend the County Zoning Map (Case No. 23RZN-00003) to eliminate the SC zone district and rezone these properties to C-2; and
- e) Adopt a Resolution amending the Uniform Rules to revise the existing ADU definition.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Adjourned at 3:06 PM**Adjourned to****Tuesday, November 28, 2023****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, November 7, 2023 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, November 9, 2023, at 5:00 PM and on Saturday, November 11, 2023, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>