

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

Action Summary

Tuesday, April 2, 2019

9:00 AM

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

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

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

9:00 A.M. Convened to Regular Session

Roll Call

Present: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Pledge of Allegiance

The Santa Barbara County Board of Supervisors observed a Moment of Silence in honor of Marcie Kjoller of Santa Barbara.

Approval of Minutes of the March 19, 2019 Meeting

A motion was made by Supervisor Williams, seconded by Supervisor Hartmann, to approve the Minutes. The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Absent: 1 - Supervisor Adam

County Executive Officer's Report

19-00001

Mona Miyasato, the County Executive Officer, introduced Lisa Plowman as the new Director of the Planning and Development Department.

12:00 P.M. Recessed to Closed Session

Closed Session

19-0002

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
(Paragraph (2) of subdivision (d) of Government Code section 54956.9)
Significant exposure to civil litigation: 1 case.

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.

Report from Closed Session

No reportable action taken.

Administrative Agenda

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

Resolutions to be Presented**A-1) SUPERVISOR WILLIAMS, SUPERVISOR HART [19-00280](#)**

Adopt a Resolution proclaiming the month of April 2019 as DMV/Donate Life Month in Santa Barbara County.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.

RESOLUTION NO. 19-95

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Absent: 1 - Supervisor Adam

A-2) SUPERVISOR WILLIAMS, SUPERVISOR HARTMANN [19-00300](#)

Adopt a Resolution proclaiming April 2, 2019 as National Service Recognition Day in Santa Barbara County.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.

RESOLUTION NO. 19-96

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Absent: 1 - Supervisor Adam

A-3) SUPERVISOR HART [19-00271](#)

Adopt a Resolution of Commendation honoring Luis R. Munoz upon his retirement from the Public Health Department after 38 years of service to the County of Santa Barbara.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.

RESOLUTION NO. 19-97

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Absent: 1 - Supervisor Adam

A-4) SUPERVISOR HART [19-00274](#)

Adopt a Resolution of Commendation honoring Freedom 4 Youth for empowering local youth and making our communities safer.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.

RESOLUTION NO. 19-98

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Absent: 1 - Supervisor Adam

A-5) SUPERVISOR HARTMANN [19-00273](#)

Adopt a Resolution proclaiming April 2, 2019 as Equal Pay Day in Santa Barbara County.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.

RESOLUTION NO. 19-99

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Absent: 1 - Supervisor Adam

A-6) SUPERVISOR HARTMANN [19-00276](#)

Adopt a Resolution proclaiming the month of April 2019 as ACEs Awareness and Child Abuse Prevention Month in Santa Barbara County.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.

RESOLUTION NO. 19-100

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Absent: 1 - Supervisor Adam

A-7) SUPERVISOR HARTMANN [19-00295](#)

Adopt a Resolution proclaiming the week of April 1, 2019 through April 7, 2019 as National Public Health Week in Santa Barbara County.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.

RESOLUTION NO. 19-101

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Absent: 1 - Supervisor Adam

A-8) SUPERVISOR LAVAGNINO [19-00275](#)

Adopt a Resolution of Commendation honoring Martin Nava as the April 2019 Employee of the Month in Santa Barbara County.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.

RESOLUTION NO. 19-102

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Absent: 1 - Supervisor Adam

A-9) SUPERVISOR LAVAGNINO [19-00297](#)

Adopt a Resolution proclaiming March 24, 2019 as World Tuberculosis Day in Santa Barbara County.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.

RESOLUTION NO. 19-103

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Absent: 1 - Supervisor Adam

Administrative Items**A-10) COMMUNITY SERVICES****19-00290**

Consider recommendations regarding a Civil Engineering Services Agreement with Bengal Engineering, Inc. for the Montecito Trails January 2018 Storm (4353-DR) Bridge Repairs and Replacement, First District, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute the professional services agreement with Bengal Engineering, Inc. (Contractor) in the amount not to exceed \$115,110.00 to allow the Contractor to provide civil engineering and surveying services for the Montecito Trails January 2018 Storm (4353-DR) Bridge Repairs and Replacement project;

b) Approve Budget Revision Request No. 006815 to appropriate funding for the civil engineering and surveying services for the Montecito Trails January 2018 Storm (4353-DR) Bridge Repairs and Replacement project funded by Parks revenues; and

c) Determine that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301(c) and 15302 of the State Guidelines for the Implementation of CEQA which consist of the repair or minor alteration of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety) involving negligible or no expansion of existing use, and replacement or reconstruction of existing structures where the new structure will be located on the same site as the structure replaced and will have the same purpose and capacity as the structure replaced, and direct staff to file the CEQA Notice of Exemption on that basis.

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

a) Approved and authorized; Chair to execute; and

b) and c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-11) COMMUNITY SERVICES[19-00294](#)

Consider recommendations regarding the execution of State of California Homeless Emergency Aid Program (HEAP) Sub-recipient Agreements, First, Second, Fourth and Fifth Districts, as follows:

a) Approve, ratify and authorize the Chair to execute sub-recipient agreements for the distribution of State of California HEAP with the following providers in the specified amounts:

i) \$2,000,000.00 to City of Santa Barbara (City SB) for the Santa Barbara Connect Home project; and

ii) \$653,852.00 to Good Samaritan Shelter (GSS) for the supportive services and navigation center portion of the Homeless Housing Navigation Project; and

b) 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 motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be acted on as follows:

a) i and ii) Approved, ratified and authorized; Chair to execute; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-12) COUNTY COUNSEL[19-00262](#)

Consider recommendations regarding the adoption of the Conflict of Interest Code of the Santa Ynez Valley Basin Western Management Area Groundwater Sustainability Agency, as follows:

a) Approve the adoption of the Conflict of Interest Code of Santa Ynez Valley Basin Western Management Area Groundwater Sustainability Agency; and

b) Determine that the above action is an organizational or administrative activity of government that is not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA Guidelines.

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

a) and b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-13) COUNTY COUNSEL

[19-00264](#)

Consider recommendations regarding the adoption of the Conflict of Interest Code of the Santa Ynez Valley Basin Central Management Area Groundwater Sustainability Agency, as follows:

a) Approve the adoption of the Conflict of Interest Code of Santa Ynez Valley Basin Central Management Area Groundwater Sustainability Agency; and

b) Determine that the above action is an organizational or administrative activity of government that is not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA Guidelines.

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

a) and b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-14) COUNTY COUNSEL

[19-00266](#)

Consider recommendations regarding an amendment to the Conflict of Interest Code of the Santa Maria Joint Union High School District, as follows:

a) Approve the proposed amendment to the Conflict of Interest Code of Santa Maria Joint Union High School District; and

b) Determine that the above action is an organizational or administrative activity of government that is not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA Guidelines.

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

a) and b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-15) COUNTY COUNSEL

19-00268

Consider recommendations regarding an amendment to the Conflict of Interest Code of the Solvang Elementary School District, as follows:

a) Approve the proposed amendment to the Conflict of Interest Code of Solvang Elementary School District; and

b) Determine that the above action is an organizational or administrative activity of government that is not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA Guidelines.

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

a) and b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-16) COUNTY COUNSEL

19-00269

Consider recommendations regarding an amendment to the Conflict of Interest Code of the Santa Barbara County Employees' Retirement System (SBCERS), as follows:

a) Approve the proposed amendment to the Conflict of Interest Code of the Santa Barbara County Employees' Retirement System; and

b) Determine that the above action is an organizational or administrative activity of government that is not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA Guidelines.

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

a) and b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-17) COUNTY COUNSEL

19-00270

Consider recommendations regarding an amendment to the Conflict of Interest Code of the Santa Maria Public Airport District, as follows:

a) Approve the proposed amendment to the Conflict of Interest Code of the Santa Maria Public Airport District; and

b) Determine that the above action is an organizational or administrative activity of government that is not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA Guidelines.

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

a) and b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-18) COUNTY COUNSEL[19-00272](#)

Consider recommendations regarding an amendment to the Conflict of Interest Code of the Vista Del Mar Union School District, as follows:

- a) Approve the proposed amendment to the Conflict of Interest Code of Vista Del Mar Union School District; and
- b) Determine that the above action is an organizational or administrative activity of government that is not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA Guidelines.

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

a) and b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-19) COUNTY COUNSEL[19-00279](#)

Consider recommendations regarding delegation of settlement authority to County Counsel, not to exceed \$50,000.00, as follows:

- a) Pursuant to Government Code section 949, delegate to County Counsel the authority to settle pending litigation actions for a net payment of County funds not to exceed \$50,000.00 per action, provided that:
 - i) The action is not one where a litigant seeks to compel the County to exercise the County's authority concerning land use, permitting, or code enforcement;
 - ii) The settlement would not require the amendment of any County policy, rule, or regulation;
 - iii) Concurrence with the settlement is provided by: A) the director(s) of the County department(s) affected by the settlement; and Risk Management for matters funded by the County's General Liability Fund or Workers' Compensation Fund; and Human Resources for personnel matters; or B) the County Executive Officer;
 - iv) The Board may rescind the delegation of authority at any time; and
 - v) County Counsel shall not re-delegate the authority; and shall report to the Board periodically on settlements made with the delegated authority; and

b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because it consists of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.

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

a) i) through v) Approved; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-20) COUNTY COUNSEL

[19-00296](#)

Consider recommendations regarding Amendment No. 5 to Outside Counsel Contract with Snow Spence Green, LLP, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute Amendment No. 5 to the Agreement for Professional Legal Services with Snow Spence Green, LLP, increasing the not-to-exceed amount from \$170,000.00 to \$220,000.00 and extending the term to April 1, 2021; and

b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines, because they consist of administrative activities of government that will not result in direct or indirect physical changes in the environment.

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

a) Approved and authorized; Chair to execute; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-21) COUNTY EXECUTIVE OFFICE [19-00282](#)

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

A motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-22) COUNTY EXECUTIVE OFFICE [19-00293](#)

Consider recommendations regarding a Second Quarter update on Cannabis Compliance, Enforcement and Taxation, as follows:

- a) Receive and file an update on the status of cannabis land use permitting, business licensing, enforcement, and State licensing; and

- b) Find that the proposed actions are administrative activities of the County, which will not result in direct or indirect changes to the environment and therefore are not a “project” as defined for the purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

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

- a) Received and filed; and

- b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-23) DISTRICT ATTORNEY19-00291

Consider recommendations regarding an agreement with the California Department of Insurance for a High Impact Insurance Fraud Program in the District Attorney's Office, Fiscal Year 2018-2019, as follows: (4/5 Vote Required)

a) Adopt a Resolution approving, ratifying, and authorizing the District Attorney to execute a Grant Award Agreement with the California Department of Insurance for a High Impact Insurance Fraud Program for the period of July 1, 2018 through June 30, 2019 in the amount of \$272,694.00;

b) Adopt a Salary Resolution effective April 8, 2019 adding one (1) 1.0 FTE Deputy District Attorney I position to the District Attorney's Office, which will be fully-funded by the Department of Insurance grant;

c) Approve Budget Revision Request No. 0006181 to increase appropriations in the amount of \$272,694.00 in the District Attorney's Office General Fund for Salaries and Employee Benefits, and Services and Supplies, funded by unanticipated revenue from Intergovernmental Revenue-State; 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 motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be acted on as follows:

a) Adopted;

RESOLUTION NO. 19-104

b) Adopted; and

RESOLUTION NO. 19-105

c) and d) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-24) FIRE

[19-00265](#)

Consider recommendations regarding acceptance of offer and sale of surplus equipment, as follows:

- a) Authorize the Purchasing Agent to accept the highest public consignment sale offer to purchase surplus heavy equipment using the consignment sales process with Quinn Company and complete the transaction; and

- b) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) that the above fiscal activity is not a project subject to CEQA.

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

- a) Authorized; and**

- b) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-25) GENERAL SERVICES19-00299

Consider recommendations regarding County Acceptance of Offer to Dedicate a 35-acre Portion of Dangermond Preserve from The Nature Conservancy to the County, Third District, as follows:

- a) Approve and authorize the Chair to execute the Dedication Agreement and Escrow Instructions (Dedication Agreement) between The Nature Conservancy (TNC) and the County of Santa Barbara (County), for the County's acceptance of a dedication of the approximately 35-acre portion of the Dangermond Preserve property, located adjacent to Jalama Beach County Park, and described in Exhibit A of the Dedication Agreement;
- b) Authorize the Director of General Services, or designee, to execute any additional escrow instructions or related documents required to facilitate the County's acceptance of Assessor Parcel Number 083-510-064, and portions of 083-510-063 and 065 (the OTD Parcels);
- c) In accordance with Cal. Gov. Code Section 51292, find that the location of the land to be acquired by the County was not based primarily on the lower cost of acquiring Williamson Act property, and that there is no other land within or outside the agricultural preserve that is reasonably feasible to acquire;
- d) Adopt a Resolution authorizing the Director of the Community Services Department to execute a Certificate of Acceptance for the OTD, and, if required, a Certificate of Acceptance for a quitclaim deed, effectuating the County's acceptance of the OTD Parcels;
- e) Direct the County Surveyor to record Certificates of Compliance for the remainder of Assessor Parcel Numbers 083-510-063 and 065, which will remain under the ownership of TNC; and
- f) Find that the proposed actions are exempt from further environmental review under the California Environmental Quality Act (CEQA) pursuant to 14 CCR Section 15316 of the CEQA Guidelines (Transfer of Ownership in Land to Create Parks), which provides a Class 16 exemption for projects that consist of the acquisition, sale, or other transfer of land in order to establish a park where the land is in a natural condition or contains historical or archeological resources and either a) The management plan for the park has not been prepared, or b) The management plan proposes to keep the area in a natural condition or preserve the historic or archeological resources; and direct staff to file and post the Notice of Exemption.

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

a) Approved and authorized; Chair to execute;

b) Authorized;

c) Approved;

d) Adopted;

RESOLUTION NO. 19-106

e) Directed; and

f) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-26) GENERAL SERVICES

19-00298

Consider recommendations regarding a concession agreement for Smoke on Water Cachuma Lake Café, Third District, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute the Concession Agreement between the County of Santa Barbara (County) and Smoke on Water (Concessioner), to allow Concessioner to operate and manage the Lake Cachuma Marina Café (Café) for a term of ten (10) years, with one option to extend the term for an additional eight (8) years. Concessioner will pay to County a special use fee (Fee) of Eight Percent (8%) of Concessioners monthly income, or Five Hundred Dollars (\$500.00) whichever is greater;

b) Authorize the Director of the Community Services Department to exercise the first and only option to extend the term of the Concession Agreement for an additional eight (8) years, from April 1, 2029 through March 14, 2037, provided that the Concessioner is not in default under the terms of the Concession Agreement; and

c) Find that the recommended actions are exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines section 15301 as the actions consist of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public structures, facilities and/or equipment that involves negligible or no expansion of existing or former uses and direct staff to file a Notice of Exemption on that basis.

A motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be withdrawn from the agenda. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-27) PLANNING AND DEVELOPMENT

19-00285

Consider recommendations regarding Santa Claus Lane Streetscape Improvement Project - Sewer Connection Study Agreement for Services with Stantec Consulting Services Inc., First District, as follows:

- a) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor (Agreement) with Stantec Consulting Services Inc. (Stantec) to prepare a sewer connection study during the period of April 3, 2019, to June 30, 2019, for a base contract amount of \$3,900.00;
- b) Authorize the Director of Planning and Development, or designee, to approve up to a 15 percent contingency cost not to exceed \$585.00 for services being performed under the Agreement, for a total contract amount not to exceed \$4,485.00;
- c) Approve and authorize the Director of Planning and Development, or designee, to make immaterial changes in accordance with Section 35 of the Agreement; and
- d) Determine that the Agreement and the Board of Supervisors' actions are not a project and, therefore, are exempt from the California Environmental Quality Act (CEQA) pursuant to the State CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5).

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

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

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-28) PUBLIC HEALTH[19-00267](#)

Consider recommendations regarding a First Amendment to an Oral Health Grant Agreement, as follows:

- a) Approve and authorize the Public Health Department Director to execute amendment No. 17-10723 A01 to the Oral Health Grant Agreement from the California Department of Public Health to make administrative updates without changing the total amount not to exceed \$1,224,390.00 for the period of performance from January 1, 2018 through June 30, 2022; and
- b) Determine that the recommended action is not a “Project” within the meaning of California Environmental Quality Act (CEQA), pursuant to CEQA Guideline Section 15378(b)(4), since the recommended action is a government fiscal activity which does not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

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

- a) **Approved and authorized; and**
- b) **Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-29) PUBLIC WORKS[19-00281](#)

Consider recommendations regarding a First Amendment to GHD Services Revenue Agreement for Ortega Ridge Road Slide Repair, County Project No. 820672, First District, as follows:

- a) Approve, ratify, and authorize the Chair to execute the First Amendment to the Professional Services Revenue Agreement with GHD Services, Inc. (not a local vendor), to extend the terms of the Agreement for an additional two-year period making the term of the Agreement November 7, 2017 through November 7, 2020 to provide professional engineering services and construction reimbursement for the Ortega Ridge Road Slide Repair MS-TDA Wall Project;
- b) Approve and authorize the Director of Public Works, or designee, to make immaterial changes in accordance with Section 23 of the Agreement; and
- c) Determine the above actions are not a project under the California Environmental Quality Act guidelines pursuant to Section 15378(b)(5) because it consists of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

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

- a) Approved, ratified, and authorized; Chair to execute;
- b) Approved and authorized; and
- c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-30) PUBLIC WORKS

[19-00283](#)

Consider recommendations regarding a Statement of Final Quantities for roadway improvements on West Main Street Road, County Project No. 862403, Third District, as follows:

- a) Approve and authorize the Chair to execute the Statement of Final Quantities for the Road Improvements on West Main Street for work performed and materials supplied by R. Burke Corporation, Inc., (not a local vendor), 865 Capitolio Way, San Luis Obispo CA 93406, in the amount of \$248,274.95; and
- b) Find that the proposed action does not constitute a “Project” within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5), in that it is a government administrative activity that will not result in direct or indirect changes in the environment.

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

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

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-31) PUBLIC WORKS

[19-00292](#)

Consider recommendations regarding Dockless Shared Mobility Devices Report, as follows:

- a) Receive and file a report on Dockless Shared Mobility Devices; and
- b) Find that the above recommended action is not a project under the California Environmental Quality Act review per Guideline Section 15378(b)(5), as this is a government organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

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

a) Received and filed; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-32) SHERIFF

19-00277

Consider recommendations regarding the acceptance of a donation of \$33,000.00 to help support the Sheriff's K9 Program, as follows: (4/5 Vote Required)

a) Accept a donation of \$33,000.00 from the Sheriff's Benevolent Posse, a 501(c) (3) organization;

b) Approve Budget Journal Entry No. 0006183 establishing appropriations of \$33,000.00 for the Sheriff's Office Patrol K9 program and equipment; and

c) Find that the proposed action does not constitute a "project" under the California Environmental Quality Act because it is within the exception provided by 14 CCR 15378(b)(4) for "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."

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

a) Accepted; and

b) and c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-33) SHERIFF19-00278

Consider recommendations regarding the acceptance of Grant Funding for Domestic Cannabis Eradication/Suppression Program (DCESP) from the U.S. Department of Justice, Drug Enforcement Agency for illegal cannabis eradication for the period October 01, 2018 to September 30, 2019, as follows:

- a) Accept the grant from the U.S. Department of Justice, Drug Enforcement Agency in the amount of \$58,000.00 to fund increased enforcement of any crimes related to illicit cannabis production and/or cultivation for Fiscal Year 2018-2019;
- b) Approve and authorize the Sheriff to execute the Letter of Agreement No. 2019-44 with the U.S. Department of Justice, Drug Enforcement Agency; and
- c) Find that the grant funding approval is a government funding mechanism which is not a project pursuant to section 15378(b) (4) of the California Environmental Quality Act (CEQA) Guidelines.

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

- a) Accepted;**
- b) Approved and authorized; and**
- c) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-34) SHERIFF[19-00284](#)

Consider recommendations regarding acceptance of California State Parks, Off-Highway Motor Vehicle Grant Funds, as follows: (4/5 Vote Required)

- a) Accept the Off-Highway Motor Vehicle Recreation (OHMVR) grant of \$74,435.00 from the State of California Natural Resources Agency, Department of Parks and Recreation, OHMVR Division for 2017-2018 for increased law enforcement services and equipment in Santa Barbara County, specifically in the area of the Santa Ynez River;
- b) Adopt a Resolution authorizing the Sheriff to execute an agreement with State of California Natural Resources Agency, Department of Parks and Recreation, OHMVR Division for the grant;
- c) Approve Budget Revision Request No. 0006151 appropriating \$74,435.00 in grant revenue and corresponding expense; and
- d) Determine this action is exempt from California Environmental Quality Act (CEQA) pursuant to Section 153 78(b) (4), finding that the action is a creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

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

a) Accepted;

b) Adopted; and

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c) and d) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-35) SHERIFF[19-00288](#)

Consider recommendations regarding a First Amendment to the Agreement with Sanctuary Centers of Santa Barbara for Sheriff's Treatment Program Expansion, as follows:

a) Approve, authorize, and ratify the Chair to execute a First Amendment to the Agreement for Services of Independent Contractor with Sanctuary Centers of Santa Barbara (a not-for-profit organization) to provide program delivery services targeted towards medium - high risk inmates incarcerated at the Santa Barbara County Jail for the period of January 01, 2019 to June 30, 2019; 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 motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be acted on as follows:

a) Approved, authorized, and ratified; Chair to execute; and

b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-36) SHERIFF[19-00289](#)

Consider recommendations regarding reimbursement agreements with various Law Enforcement Mutual Aid Responders from the Thomas Fire and 1/9 Debris Flow events, as follows: (4/5 Vote Required)

a) Approve and authorize the Sheriff to execute Reimbursement Agreements with 35 Law Enforcement Agencies totaling \$4,120,933.74 for the Thomas Fire and 1/9 Debris Flow law enforcement aid;

b) Approve Budget Revision Request No. 0006177; and

c) Determine that the above actions are not a project pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5), as it is an administrative government activity that will not result in direct or indirect physical changes in the environment.

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

a) Approved and authorized; and

b) and c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-37) SOCIAL SERVICES

[19-00261](#)

Consider recommendations regarding an Agreement and Memorandum of Understanding with the California Statewide Automated Welfare System Consortium for the approval of the Joint Exercise of Powers, as follows:

a) Approve and authorize the Chair to execute the Second Amended and Restated Joint Exercise of Powers Agreement among the fifty-eight California counties;

b) Approve and authorize the Chair to execute the Memorandum of Understanding between the California Statewide Automated Welfare System Consortium and the County of Santa Barbara Department of Social Services; and

c) Determine that the activity is not a "Project" subject to California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(5), since the activity is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment.

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

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

c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-38) SOCIAL SERVICES[19-00263](#)

Consider recommendations regarding a Second Amendment to an agreement with NEC Corporation of America for Workforce Optimization and Verbal Attestation, as follows:

- a) Approve, ratify, and authorize the Chair to execute the Second Amendment to the Agreement with NEC Corporation of America for the provision of Workforce Optimization and Verbal Attestation in the amount not to exceed \$491,001.00 for the extended period of March 13, 2018 through July 31, 2019; and
- b) Determine that the activity is not a "Project" subject to California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(5), since the activity is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment.

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

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

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Board of Supervisors**A-39) SUPERVISOR WILLIAMS, SUPERVISOR HART [19-00301](#)**

Consider recommendations regarding County support for the Pierre Clayessens Foundation's 2019 Fourth of July Concert at the Santa Barbara Courthouse Sunken Gardens, as follows:

- a) Direct Community Service Department staff to waive fees corresponding to use of the Santa Barbara County Courthouse Sunken Gardens for the Pierre Clayessens Veterans Foundation's 2019 Fourth of July Concert;
- b) Request the Pierre Clayessens Veterans Foundation recognize the County of Santa Barbara as a sponsor of the event; and
- c) Determine that the above actions are organization or administrative activities of 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.

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

- a) Directed; and**
- b) and c) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-40) SUPERVISOR HART [19-00253](#)

Approve the reappointment of Valerie Froscher to the South County Board of Architectural Review, term ending January 1, 2023, Second District.

A motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-41) SUPERVISOR HART [19-00254](#)

Approve the reappointment of Laurie Romano to the South County Board of Architectural Review, term ending January 1, 2023, Second District.

A motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-42) SUPERVISOR HART [19-00255](#)

Approve the reappointment of Alex Pujo to the South County Board of Architectural Review, term ending January 1, 2023, Second District.

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

Ayes: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Abstained: 1 - Supervisor Adam

A-43) SUPERVISOR HART [19-00256](#)

Approve the reappointment of Keith Coffman-Grey to the Historic Landmarks Advisory Commission, term ending January 1, 2023, Second District.

A motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-44) SUPERVISOR HART [19-00257](#)

Approve the reappointment of Darian Bleacher to the Historic Landmarks Advisory Commission, term ending January 1, 2023, Second District.

A motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-45) SUPERVISOR HARTMANN[19-00251](#)

Approve the appointment of Liliana Cardenas to the Commission for Women, term ending January 1, 2022, Third District.

A motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-46) SUPERVISOR HARTMANN[19-00252](#)

Approve the appointment of Cary Losson to the County Riding and Hiking Trails Advisory Committee, open term, Third District.

A motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-47) SUPERVISOR LAVAGNINO[19-00258](#)

Approve the appointment of Ruben Espinoza to the Arts Commission, term ending June 30, 2020, Fifth District.

A motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be approved. The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Hearing Requests

A-48) PLANNING AND DEVELOPMENT

[19-00286](#)

Set a hearing to consider recommendations regarding the appeal filed by Mr. Chip Wullbrandt, attorney for Sepulveda Building Materials, appellants, of the County Planning Commission's February 28, 2018 deemed denial of the Lompoc Stone Mining Area Expansion Vesting Determination and Reclamation Plan Revision project, Case Nos. 16DET-00000-00004 and 10RVP-00000-00048, Assessor's Parcel Numbers 083-060-015 & 083-060-009 (Site 1A) and 083-070-018 and 083-070-010 (Site 1B), located north of Santa Rosa Road and easterly of State Route 1, in the Lompoc area, Fourth District, as follows:

(Set a hearing for April 9, 2019. Time estimate: 30 minutes)

- a) Grant the appeal, Case No.18APL-00000-00006;
- b) Make the required findings for approval of the project, including California Environmental Quality Act (CEQA) findings and vested rights findings;
- c) Adopt the Mitigated Negative Declaration, Case No. 12NGD-00000-00022, and adopt the mitigation monitoring program contained in the conditions of approval; and
- d) Consider all comments from the Director of the Department of Conservation and grant de novo approval of the project, Case Nos. 16DET-00000-00004 and 10RVP-00000-00048, subject to the conditions of approval.

A motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be set for a hearing, as follows: April 9, 2019 in Santa Maria (EST. TIME: 30 MIN.) The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-49) PUBLIC WORKS[19-00260](#)

Set a hearing to consider recommendations regarding the adoption of the Measure A Five-Year Local Program of Projects for Fiscal Years 2019-2020 through 2023-2024, as follows:
(Set a hearing for May 7, 2019. Time estimate: 30 minutes)

a) Adopt a Resolution approving the Measure A Five-Year Local Program of Projects for Fiscal Years 2019-2020 through 2023-2024, for submittal to the Santa Barbara County Local Transportation Authority for acceptance;

b) Reaffirm Resolution 10-101, which established priorities and policies for the use of the local portion of the one-half of one percent (1/2%) sales tax for the transportation needs in Santa Barbara County;

c) Reaffirm the existing distributions of Measure A revenues: 50 percent population and 50 percent lane miles for the South Coast, and 100 percent lane miles for North County;

d) Direct staff to prepare Fiscal Year 2019-2020 Road Maintenance Annual Plan (RdMAP) based upon approved Measure A distribution formula; and

e) Find the Measure A Five-Year Local Program of Projects for Fiscal Year 2019-2020 through 2023-2024 is exempt from the provisions of the California Environmental Quality Act pursuant to 14 CCR 15301(c) (as the proposed project(s) consists of the operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities).

A motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be set for a hearing, as follows: May 7, 2019 in Santa Barbara (EST. TIME: 30 MIN.) The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Public Comment Period

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (19-00004)

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

Re: County Onshore Oil Production - Renee O'Neill addressed the Board.

Re: County Land Use Process - Ed Kalasky addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY COUNSEL

19-00259

HEARING - Consider recommendations regarding Extra Help Services and Retirement Waiver for the Office of County Counsel, as follows: (EST. TIME: 5 MIN.)

a) In accordance with California Government Code Section 7522.56(f)(1), certify that the appointment of retired County employee Toni Lorien is necessary to fill a short-term critical need in the Office of County Counsel for approximately three to six months before 180 days have passed from her date of retirement;

b) Approve and authorize the Office of County Counsel to appoint retired employee, Toni Lorien, as an Extra Help employee to provide assistance with specialized legal services on a part time basis not to exceed 960 hours of annual service; and

c) Determine that the above actions are organizational and administrative activities of government that are 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

HEARING TIME: 10:07 AM - 10:09 AM (2 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) through c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

2) COUNTY EXECUTIVE OFFICE[19-00212](#)

HEARING - Consider recommendations regarding an amendment to Chapter 50 - Licensing of Commercial Cannabis Operations Ordinance, as follows: (EST. TIME: 2 HR. 30 MIN.)

a) Consider the introduction (First Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara amending Chapter 50 of the Santa Barbara County Code, Licensing of Commercial Cannabis Operations;

b) Read title: “An Ordinance Amending Chapter 50, Licensing of Commercial Cannabis Operations, of The Santa Barbara County Code,” and waive reading of the Ordinance in full;

c) Set a hearing on the Administrative Agenda for April 9, 2019 to consider the adoption (Second Reading) of an Ordinance Amending Chapter 50 of the Santa Barbara County Code, Licensing of Commercial Cannabis Operations; and

d) Make the required California Environmental Quality Act (CEQA) findings and determine for the purposes of CEQA that:

i) These actions are within the scope of the Cannabis Land Use Ordinance and Licensing Program, and the Cannabis Land Use Ordinance and Licensing Program Final Programmatic Environmental Impact Report (PEIR) [Case No. 17EIR-00000-00003, State Clearinghouse No. 2017071016] adequately describes this activity for the purposes of CEQA; and

ii) Pursuant to CEQA Guidelines section 15162(a), after considering the PEIR certified by the Board of Supervisors on February 6, 2018, that no subsequent EIR or Negative Declaration is required because: i) no substantial changes are proposed which require major revisions of the PEIR; ii) no substantial changes have occurred with respect to the circumstances under which the Ordinance is undertaken which require major revisions of the PEIR; and iii) no new information of substantial importance concerning the Ordinance’s significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the PEIR was certified, has been received; and

That the Board on Administrative Agenda of April 9, 2019:

a) Consider adoption (Second Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara amending Chapter 50 to the Santa Barbara County Code, Licensing of Commercial Cannabis Operations; and

b) Make the required CEQA findings and determine for the purposes of CEQA that:

i) These actions are within the scope of the Cannabis Land Use Ordinance and Licensing Program, and the Cannabis Land Use Ordinance and Licensing Program Final Programmatic Environmental Impact Report (PEIR) [Case No. 17EIR-00000-00003, State Clearinghouse No. 2017071016] adequately describes this activity for the purposes of CEQA; and

ii) Pursuant to CEQA Guidelines section 15162(a), after considering the PEIR certified by the Board of Supervisors on February 6, 2018, that no subsequent EIR or Negative Declaration is required because: i) no substantial changes are proposed which require major revisions of the PEIR; ii) no substantial changes have occurred with respect to the circumstances under which the Ordinance is undertaken which require major revisions of the PEIR; and iii) no new information of substantial importance concerning the Ordinance's significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the PEIR was certified, has been received.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:23 AM - 1: 15 PM (2 HRS. 52 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Conceptually directed staff to amend the proposed ordinance as follows:

Section 50-17 (b) to read as follows:

b) The Applicant has knowingly, willfully or negligently made a false statement of material fact or omitted a material fact from:

- 1) The application for a cannabis business license; or
- 2) Any prior affidavit to the County concerning cannabis, whether medical marijuana or non-medical marijuana.

Section 50-31 to read as follows:

a) The County Executive Office (CEO) is the designated contact for all communications with the State Licensing Authorities regarding cannabis operations; and

b) The CEO shall provide written notification to the State, pursuant to Business and Professions Code Section 26055(g)(2)(E), as to the status of legal nonconforming operators that are no longer eligible for local authorization of temporary or provisional annual State cannabis license(s) for the following reasons including, but not limited to:

- 1) Failure to submit a complete County land use application prior to the expiration of amortization periods in Santa Barbara County Code Section 35-1003.c;
- 2) Rejection of a County land use or business license application; or
- 3) Denial of a County land use permit or business license.

Further directed staff to trail the matter until later in the day for consideration of the first reading of the ordinance.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

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

a) and b) Read title, waived further reading of the ordinance. Introduction approved amended as follows:

Section 50-17 (b) to read as follows:

b) The Applicant has knowingly, willfully or negligently made a false statement of material fact or omitted a material fact from:

- 1) The application for a cannabis business license; or
- 2) Any prior affidavit to the County concerning cannabis, whether medical marijuana or non-medical marijuana.

Section 50-31 to read as follows:

a) The County Executive Office (CEO) is the designated contact for all communications with the State Licensing Authorities regarding cannabis operations; and

b) The CEO shall provide written notification to the State, pursuant to Business and Professions Code Section 26055(g)(2)(E), as to the status of legal nonconforming operators that are no longer eligible for local authorization of temporary or provisional annual State cannabis license(s) for the following reasons including, but not limited to:

- 1) Failure to submit a complete County land use application prior to the expiration of amortization periods in Santa Barbara County Code Section 35-1003.c;
- 2) Rejection of a County land use or business license application; or
- 3) Denial of a County land use permit or business license.

Adoption (second reading) set for April 9, 2019 in Santa Maria on the Administrative Agenda.

c) and d) i) and ii) set for April 9, 2019 in Santa Maria on the Administrative Agenda.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

3) PLANNING AND DEVELOPMENT[19-00213](#)

HEARING - Consider the Patterson Avenue Holdings New Office Appeal (Case No. 18APL-00000-00022) filed by Paul Bradford, Appellant, of the Planning Commission's December 5, 2018 approval of Case Nos. 16DVP-00000-00013 and 16BAR-00000-00154, Second District, as follows: (EST. TIME: 1 HR.)

- a) Deny the appeal, Case No. 18APL-00000-00022;
- b) Make the required findings for approval of the project, Case Nos. 16DVP-00000-00013 and 16BAR-00000-00154, including California Environmental Quality Act (CEQA) findings;
- c) Determine that the project is exempt from CEQA pursuant to the State CEQA Guidelines Section 15303; and
- d) Grant de novo approval of the project, Case Nos. 16DVP-00000-00013 and 16BAR-00000-00154, subject to the conditions.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 2:17 PM - 3:58 PM (1 HR. 41 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Directed staff to work with the applicant to devise additional traffic mitigation measures and to return to the Board on June 4, 2019 in Santa Barbara.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

4) PLANNING AND DEVELOPMENT19-00287

HEARING - Consider recommendations regarding Long Range Planning Division Fiscal Year 2019-2020 Work Program, as follows: (EST. TIME: 40 MIN.)

- a) Receive and file a report on the proposed Fiscal Year (FY) 2019-2020 Work Program;
- b) Allocate the funding and staff resources to approve the FY 2019-2020 Work Program to continue to provide required services, conduct operations, and work on projects with remaining work from the FY 2018-2019 Work Program, subject to approval of the Planning and Development Department's budget;
- c) Provide direction to staff regarding any desired increases in funding for Long Range Planning Division project; and
- d) Determine that the Board's action is not a "project" that is subject to environmental review pursuant to the State California Environmental Quality Act (CEQA) Guidelines [Section 15378(b)(5)].

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 5:36 PM - 6:10 PM (34 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Received and filed;**
- b) and c) Approved. Directed staff to add Farmstay Ordinance Amendments to the 2019-2020 Work Program; and**
- d) Approved.**

The motion carried by the following vote:

Ayes: 4 - Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Absent: 1 - Supervisor Williams

5) PUBLIC HEALTH19-00193

HEARING - Consider recommendations regarding Ordinances revising the Environmental Health Services' Hazardous Materials Program fees, as follows: (EST. TIME: 30 MIN.)

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

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

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

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

e) Continue the Hazardous Materials Program Fee Ordinances to the Administrative Agenda of April 9, 2019 to consider recommendations, as follows:

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

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

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

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 4:02 PM - 5:32 PM (30 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Received and filed;

b) through d) Read title, waived further reading of the ordinances, Introduction approved. Adoption (second readings) set for April 9, 2019 in Santa Maria on the Administrative Agenda; and

e) i) through iii) Set for April 9, 2019 in Santa Maria on the Administrative Agenda.

The motion carried by the following vote:

Ayes: 3 - Supervisor Williams, Supervisor Hart, and Supervisor Hartmann

Noes: 2 - Supervisor Adam, and Supervisor Lavagnino

6) PUBLIC HEALTH[19-00192](#)

HEARING - Consider recommendations regarding Environmental Health Services Fee Adjustments for Community Health Programs, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file a presentation regarding Environmental Health Services' Fee Schedule Resolutions and Ordinances;
- b) Adopt a Resolution amending fees for Environmental Health Services relating to Food Facilities;
- c) Adopt a Resolution amending fees for Environmental Health Services relating to Swimming Pool Sanitation;
- d) Adopt a Resolution amending fees for Environmental Health Services relating to Onsite Wastewater Treatment Systems, Pumping, Maintenance and Disposal Services and Sewage Violation Inspections;
- e) Adopt a Resolution amending fees for Environmental Health Services relating to Organized Camps and Substandard Housing Complaint Inspections;
- f) Adopt a Resolution amending fees for Environmental Health Services relating to Body Art;
- g) Adopt a Resolution amending fees for Environmental Health Services relating to Public Water Systems (California Safe Drinking Water Act);
- h) Adopt a Resolution amending fees for Environmental Health Services relating to Water Wells and Private Water Systems;
- i) Adopt a Resolution amending fees for Environmental Health Services relating to Land Development Review;
- j) Approve the introduction (First Reading) of an Ordinance amending fees for Environmental Health Services relating to Solid Waste;
- k) Approve the introduction (First Reading) of an Ordinance amending fees for Environmental Health Services relating to Monitoring Wells and Borings;
- l) Read the titles of the above Ordinances amending fees for Environmental Health Services relating to Solid Waste and Monitoring Wells and Borings into the record and waive full reading of these Ordinances;
- m) Find that approval of the recommended actions A-I is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(8)(A) and (B) and CEQA Guidelines Section 15273 because the fees will be used for operating expenses and for the purchase of supplies, equipment and materials and direct staff to file a Notice of Exemption on that basis;

n) Continue the hearing on Environmental Health Services' Fee Ordinances to the Administrative Agenda on April 9, 2019 to consider recommendations, as follows:

i) Consider and approve the adoption (Second Reading) of an Ordinance amending fees for Environmental Health Services relating to Solid Waste;

ii) Consider and approve the adoption (Second Reading) of an Ordinance amending fees for Environmental Health Services relating to Monitoring Wells and Borings; and

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

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 4:02 PM - 5:32 PM (30 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Received and filed;

b) Adopted.

RESOLUTION NO. 19-108

c) Adopted.

RESOLUTION NO. 19-109

d) Adopted.

RESOLUTION NO. 19-110

e) Adopted.

RESOLUTION NO. 19-111

f) Adopted.

RESOLUTION NO. 19-112

g) Adopted.

RESOLUTION NO. 19-113

h) Adopted.

RESOLUTION NO. 19-114

i) Adopted.

RESOLUTION NO. 19-115

j) through m) Read title, waived further reading of the ordinances, Introduction approved. Adoption (second readings) set for April 9, 2019 in Santa Maria on the Administrative Agenda.

n) i) through iii) Set for April 9, 2019 in Santa Maria on the Administrative Agenda.

The motion carried by the following vote:

Ayes: 3 - Supervisor Williams, Supervisor Hart, and Supervisor Hartmann

Noes: 2 - Supervisor Adam, and Supervisor Lavagnino

Adjourned at 6:10 PM

Adjourned to

Tuesday, April 9, 2019

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, April 2, 2019 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, April 4, 2019, at 5:00 PM and on Saturday, April 6, 2019, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>