

County of Santa Barbara
BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Agenda

Tuesday, December 17, 2019

9:00 AM

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

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

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

Persons may address the Board of Supervisors in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Betteravia Government Center, Board of Supervisors' Conference Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.

Board Meeting Procedures

The Board of Supervisors is the legislative body for the County of Santa Barbara. Persons are encouraged to attend and testify before the Board on any matter appearing on the agenda. Correspondence to the Board regarding items appearing on the agenda should be directed to the Clerk of the Board, 105 East Anapamu Street, Room 407, Santa Barbara CA 93101. For information regarding the meetings of the Board of Supervisors including specific meeting times contact the Clerk of the Board at (805) 568-2240. Procedures for the conduct of the meetings of the Board of Supervisors can be found in Board Resolutions 09-368 (General) and 91-333 (Land Use).

The schedule of the Board of Supervisors, meeting agendas, supplemental hearing materials and minutes of the Board meetings are available on the Internet at: www.countyofsb.org

Board Meetings are televised live on County of Santa Barbara TV channel 20. For information about obtaining a videotape of a public hearing or a schedule of CSBTV broadcasts please call (805) 568-3427.

Late Distribution and Ex-Parte Communication

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to all or a majority of the members of the Board of Supervisors less than 72 hours prior to that meeting are available for inspection in the Clerk of the Board Office, 105 East Anapamu Street, Room 407, Santa Barbara, CA, at the Office of the Board of Supervisors, Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, CA and on the Internet at: <http://santabarbara.legistar.com/Calendar.aspx#current>. Any written ex-parte communication subject to disclosure by members of the Board of Supervisors may be published online as an attachment to the corresponding item.

Disability Access

The Board of Supervisors Hearing Room in Santa Barbara is located on the Fourth Floor of the County Administration Building, 105 East Anapamu Street. The Hearing Room is wheelchair accessible. Accessible public parking is available behind the County Administration Building and in City Parking Lot #6 located at the corner of Anacapa Street and Anapamu Street.

The Board of Supervisors Hearing Room in Santa Maria is located at the Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria. The Hearing Room is wheelchair accessible. Accessible public parking is available at the Betteravia Government Center.

American Sign Language interpreters, Spanish language interpretation and sound enhancement equipment may be arranged by contacting the Clerk of the Board of Supervisors by 4:00 p.m. on Friday before the Board meeting. For information about these services please contact the Clerk of the Board at (805) 568-2240.

Closed Session

The Board of Supervisors conducts a Closed Session every Tuesday between 12:00 P.M. and 1:00 P.M. and at 7:50 A.M. as necessary. Closed Sessions are not open to the public. Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Actions taken by the Board during Closed Session will be announced during open session (Gov. Code Sections 54957.1(a) & (b), Ralph M. Brown Act). The Closed Session agenda is posted as an addendum to the Board's agenda each Friday in the Office of the Clerk of the Board. For information related to Closed Session announcements please contact County Counsel at (805) 568-2950.

9:00 A.M. Convene to Regular Session

Roll Call

Pledge of Allegiance

Approval of Minutes of the December 10, 2019 Meeting

County Executive Officer's Report

[19-00001](#)

12:00 P.M. Recess to Closed Session

Closed Session

[19-00002](#)

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

Murray, et al. v. County of Santa Barbara, et al., United States District Court for the Central District of California, case number 2:17-cv-08805-GW-JPR.

Hample v. Civil Service Commission of Santa Barbara, Santa Barbara County Superior Court, case number 16CV02220.

Report from Closed Session

Administrative Agenda

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

Resolutions to be PresentedA-1) SUPERVISOR LAVAGNINO [19-01060](#)

Adopt a Resolution of Commendation honoring Donald Denoyer as the Veteran of the Month in Santa Barbara County.

Administrative ItemsA-2) AUDITOR-CONTROLLER [19-01043](#)

Consider recommendations regarding AB1600 Mitigation Fee Annual Report, Fiscal Year (FY) 2018-2019, as follows:

- a) Make available to the public the FY 2018-2019 AB1600 Mitigation Fee Annual Report which includes the mitigation fee financial activity for FY 2018-2019 and the fee schedules for the Countywide, Orcutt, Goleta, South Coast, Santa Ynez, Lompoc and Santa Maria development impact fee programs;
- b) Continue the AB1600 Mitigation Fee Annual Report to the January 14, 2020 administrative agenda to receive and review the AB1600 Mitigation Fee Annual Report; and
- c) 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-3) BEHAVIORAL WELLNESS[19-01064](#)

Consider recommendations regarding a First Amendment to the Agreement with Tarzana Treatment Centers, Inc. for an Alcohol and Drug Program (ADP) Drug Medi-Cal Organized Delivery System (DMC-ODS), Fiscal Year (FYs) 2018-2021, as follows:

- a) Approve, ratify and authorize the Chair to execute a First Amendment to the Agreement for Services of Independent Contractor with Tarzana Treatment Centers, Inc., a California Corporation, (not a local vendor), to update provisions to the Agreement for compliance with State and Federal regulations, to add new ADP Substance Use Disorder (SUD) services for adolescent clients (under age 21) to the Agreement, and increase the contract maximum by \$357,241.00, inclusive of \$513,048.00 for FY 2018-2019, \$836,697.00 for FY 2019-2020, and \$836,697.00 for FY 2020-2021, for a new multi-year contract maximum not to exceed \$2,186,442.00 for the period of December 1, 2018 to June 30, 2021;
- b) Approve and authorize the Chair to delegate to the Director of Behavioral Wellness or her designee the authority to reallocate funds between funding sources at their discretion during the term of the agreements without altering the Maximum Contract Amount or requiring a formal amendment to the agreements per Exhibit B of the agreement, subject to the Board's ability to rescind this delegated authority at any time; and
- c) Determine that the above actions are government fiscal activities that will not result in direct or indirect physical changes in the environment, pursuant to section 15378(b)(4) of the California Environmental Quality Act (CEQA) guidelines.

A-4) COMMUNITY SERVICES[19-01052](#)

Consider recommendations regarding an amendment to a HOME Tenant Based Rental Assistance (TBRA) Subrecipient Agreement with the City of Santa Maria, as follows:

- a) Approve and authorize the Chair to execute an Amendment to the Subrecipient Agreement between the County and the City of Santa Maria (City) that increases the amount of federal HOME funding by \$130,732.00 from \$100,000.00 to \$230,732.00, and extends the term of the Subrecipient Agreement from December 31, 2020 to December 31, 2021, to administer TBRA; and
- b) Determine that the proposed action is exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15378(b)(4), finding that the action is a creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

A-5) COMMUNITY SERVICES, BEHAVIORAL WELLNESS[19-01066](#)

Consider recommendations regarding execution of state Homeless Emergency Aid Program (HEAP) Loan Documents for \$1,350,000.00, approval for the County of Santa Barbara to join the Housing Authority to submit a State No Place Like Home (NPLH) non-competitive application, and approval of Behavioral Wellness Services Agreement and Memorandum of Understanding (MOU) for the West Cox Apartments Project as required by NPLH, Fifth District, as follows:

a) Approve and authorize the Chair to execute the following documents, which relate to a 15-year 0% forgivable loan of One Million Three Hundred and Fifty Thousand Dollars (\$1,350,000.00) of HEAP funds from the County to the Housing Authority of the County of Santa Barbara (Housing Authority) for the West Cox Apartments project at 1141 West Cox Lane, Santa Maria, APN 099-150-057:

- i) County HEAP Loan Agreement;
- ii) County HEAP Loan Promissory Note;
- iii) County Deed of Trust, Assignment of Rents, and Security Agreement; and
- iv) County Regulatory Agreement (together, the HEAP Loan Documents);

b) Adopt a Resolution that:

i) Authorizes and directs the County to submit a joint application with the Housing Authority as developer-borrower to the California Department of Housing and Community Development for NPLH non-competitive loan funds; and

ii) Authorizes and directs the Director of the Department of Behavioral Wellness to execute a "Standard Agreement" for an allocation of "Round 2" non-competitive NPLH funds;

c) Authorize the Director of the Department of Behavioral Wellness to execute a "Standard Agreement" between the County and the State in a form substantially similar to the "Round 1 Standard Agreement" and subject to the review of and concurrence by County Counsel, Risk Management and Auditor-Controller;

d) Approve and authorize the Director of the Department of Behavioral Wellness, on behalf of the County, to execute the Supportive Services Agreement with the Housing Authority to provide supportive services to NPLH tenants while they reside at the Project as required by NPLH for twenty (20) years;

e) Approve and authorize the Director of Department of Behavioral Wellness, on behalf of the County, to execute an MOU with the Housing Authority which identifies the roles and responsibilities of the County, the project owner, and the property manager, and commits the County to provide supportive services for a period of twenty (20) years to NPLH tenants while they reside at the Project; and

f) Consider the environmental effects of the project as shown in the Mitigated Negative Declaration adopted by the City of Santa Maria for the Project on March 20, 2019 and find that pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162, no substantial changes are proposed, and there are no substantial changes in circumstances or new information of substantial importance regarding significant impacts or feasibility of mitigation measures and alternatives, and therefore approval of the recommended actions are within the scope of the Mitigated Negative Declaration adopted by the City of Santa Maria for the Project on March 20, 2019.

A-6) COMMUNITY SERVICES, BEHAVIORAL WELLNESS

[19-01063](#)

Consider recommendations regarding approval for the Housing Authority of the County of Santa Barbara (HACSB) to Submit State No Place Like Home (NPLH) Competitive Application, and Approval of Behavioral Wellness Services Agreement for the Hollister Lofts Project as required by NPLH, Second District, as follows:

a) Adopt a Resolution that authorizes the County to submit a joint application with the HACSB as developer-borrower to the California Department of Housing and Community Development (State HCD) for NPLH competitive loan funds for the proposed development of supportive affordable housing (Hollister Lofts) (APN 061-040-030); and, if funds are awarded, authorizes and directs the Director of the Department of Behavioral Wellness to act on behalf of County in connection with the award of NPLH Program funds subject to final approval by the Board; and

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

A-7) COUNTY COUNSEL

[19-01053](#)

Consider recommendations regarding approval of the Conflict of Interest Code of the Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Groundwater Basin, as follows:

a) Approve the Conflict of Interest Code of the Groundwater Sustainability Agency for the Eastern Management Area in the Santa Ynez River Groundwater Basin; and

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

A-8) COUNTY EXECUTIVE OFFICE[19-01044](#)

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

a) Approve and authorize the Chair to execute an Agreement for the services of independent contractor Governmental Advocates, Inc. to provide State advocacy services for the period of January 1, 2020 to December 31, 2021 for a total amount not to exceed \$132,700.00 for a two-year term; and

b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4) because it consists of the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-9) COUNTY EXECUTIVE OFFICE[19-01045](#)

Consider recommendations regarding Federal Advocate Contract Renewal (Thomas Walters, Inc.), as follows:

a) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor with Thomas Walters and Associates, Inc. to provide Federal advocacy services for the period of January 1, 2020 to December 31, 2021 for a total amount not to exceed \$195,700.00 for a two-year term; and

b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4) because it consists of the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-10) DISTRICT ATTORNEY**19-01039**

Consider recommendations regarding the California Governor's Office of Emergency Services (Cal OES) Child Advocacy Center Program (KC) Grant Award, Fiscal Years 2018-2019 and 2019-2020, as follows:

- a) Adopt a Resolution approving, ratifying, and authorizing the District Attorney to execute a Grant Agreement with the Cal OES accepting the Child Advocacy Center Program grant award for the award period of April 1, 2019 through March 31, 2020, in the amount of \$200,000.00;
- b) Approve and authorize the District Attorney to execute any future amendments or extensions thereof through September 30, 2020, not to exceed \$50,000.00, with the concurrence of County Counsel and Auditor-Controller; and
- c) 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, and approve the filing of a Notice of Exemption on that basis.

A-11) PLANNING AND DEVELOPMENT**19-01046**

Consider recommendations regarding Coastal Resource Enhancement Fund (CREF) Grant Contract - Mathilda Drive Property Acquisition, Third District, as follows:

- a) Approve and authorize the Chair to execute the CREF contract with the City of Goleta, in the amount of \$80,000.00, to help fund the City's purchase of 0.25 acres at the south end of Mathilda Drive, APN: 079-554-031, located along the Sperling Preserve in the City of Goleta (Property);
- b) Approve and authorize the Chair to execute a Conservation Easement Deed with the City of Goleta over the Property;
- c) Approve and authorize the Clerk of the Board to execute the Certificate of Acceptance; and
- d) Determine that the allocation of the CREF grant is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the State Guidelines for the implementation of CEQA.

A-12) PLANNING AND DEVELOPMENT[19-01047](#)

Consider recommendations regarding Hines (Drum Canyon Road) New Agricultural Preserve Contract, Lompoc area, Third District, as follows:

- a) Adopt a Resolution creating Agricultural Preserve Contract No. 19AGP-00000-00012 consisting of 70.3 acres located approximately 870 yards northeast of the intersection of Highway 246, Drum Canyon Road and Mail Road, in the Lompoc area (APN 099-170-021);
- b) Approve and authorize the Chair to execute Agricultural Preserve Contract No. 19AGP-00000-00012;
- c) Authorize recordation by the Clerk of the Board; and
- d) Find that the proposed action is an administrative activity of the County which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

A-13) PLANNING AND DEVELOPMENT[19-01048](#)

Consider recommendations regarding The M and B Trust New Agricultural Preserve Contract, Carpinteria Area, First District, as follows:

- a) Adopt a Resolution creating Agricultural Preserve Contract 19AP-00000-00011, a single preserve of 23.97-acres located approximately 4,200 northwest of the Foothill Road and Linden Avenue intersection, in the Carpinteria area (APNs 155-180-067 and 155-260-004);
- b) Approve and authorize the Chair to execute a new Agricultural Preserve Contract No. 19AGP-00000-00011;
- c) Authorize recordation by the Clerk of the Board; and
- d) Determine that the project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15317.

A-14) PLANNING AND DEVELOPMENT[19-01049](#)

Consider recommendations regarding Hines (Mail Road) Agricultural Preserve Replacement Contract, Lompoc area, Third District, as follows:

- a) Adopt a Resolution creating Agricultural Preserve Contract No. 19AGP-00000-00009 consisting of 98.7 acres located approximately 200 yards southwest of the intersection of Highway 246, Drum Canyon Road and Mail Road, in the Lompoc area (APN 099-210-055);
- b) Approve and authorize the Chair to execute Agricultural Preserve Replacement Contract No. 19AGP-00000-00009;
- c) Authorize recordation by the Clerk of the Board; and
- d) Find that the proposed action is an administrative activity of the County which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

A-15) PLANNING AND DEVELOPMENT[19-01050](#)

Consider recommendations regarding Waller Agricultural Preserve Replacement Contract, Santa Maria area, Third District, as follows:

- a) Adopt a Resolution creating Agricultural Preserve No. 19AP-00000-00013 consisting of 155.32 acres located north of the intersection of Betteravia Road and Ray Road and south of Brown Road, in the Santa Maria area (APN 113-140-003 and APN 113-140-011);
- b) Approve and authorize the Chair to execute Agricultural Preserve Replacement Contract No. 19AP-00000-00013;
- c) Authorize recordation by the Clerk of the Board; and
- d) Find that the proposed action is an administrative activity of the County which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

A-16) PROBATION[19-01040](#)

Consider recommendations regarding an Agreement with the California Franchise Tax Board Court Ordered Debt Collection Program, as follows:

- a) Approve and authorize the Chief Probation Officer to execute Agreement No. 46657 with the State of California Franchise Tax Board for the collection of unpaid delinquent court ordered restitution, fines, fees, penalties, forfeitures or other amounts imposed by the Court, for the period December 1, 2019 through November 30, 2022; the cost of the services provided to the County shall not exceed 15% of the amount collected by the Franchise Tax Board, pursuant to Revenue and Taxation Code Section 19282; and
- b) Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA guidelines.

A-17) PUBLIC HEALTH[19-00970](#)

Consider recommendations regarding an Ordinance amending County Code Chapter 37A - Licensure of Tobacco Retailers, Section 37A-7(a) to include language to prohibit the sale of flavored tobacco products, small and inexpensive pack sizes, and prohibit the mail-order delivery of tobacco products, as follows:

- a) Consider the adoption (Second Reading) of an Ordinance amending County Code Chapter 37A, Section 37A-7(a), effective 30 days from the date of its passage and in force 90 days from the date of its passage; and
- b) Determine that these activities are exempt from California Environmental Quality Act review per California Environmental Quality Act (CEQA) Guideline Section 15061(b)(3), and direct staff to file a Notice of Exemption.

A-18) PUBLIC HEALTH[19-01042](#)

Consider recommendations regarding a Letter of Interest to participate in the one-time funding opportunity from the State of California Department of Health Care Services (DHCS) to initiate a Whole Person Care pilot, as follows:

- a) Receive and file the Santa Barbara County Public Health Department's Letter of Interest to participate in the one-time funding from the DHCS to initiate a Whole Person Care pilot; and
- b) 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)(5), since the recommended actions are organizational or administrative activities of the government that will not result in direct or indirect physical change in the environment.

A-19) PUBLIC WORKS[19-01038](#)

Consider recommendations regarding Southern California Edison Agreements and a Fourth Amendment to the amended contract with MSB Investors, LLC for the Tajiguas ReSource Center, County Project No. 828382, Third District, as follows:

a) Authorize the County of Santa Barbara Department of Public Works Director, or his designee, to execute an amended Net Energy Metering and Generating Facility Interconnection Agreement and Facilities Financing and Ownership Agreement with Southern California Edison for the electrical interconnection between the Tajiguas ReSource Center Materials Recovery Facility and the Southern California Edison electricity grid upon return of the executed agreements from Southern California Edison and the approval of County Counsel, Auditor Controller and Risk Manager or their authorized representatives;

b) Authorize the County of Santa Barbara Department of Public Works Director, or his designee, to execute a Bioenergy Market Adjusting Tariff Power Purchase Agreement for the sale of renewable electricity at the Tajiguas ReSource Center Anaerobic Digestion Facility to Southern California Edison for a term of twenty (20) years at a price of \$0.127/kwh and requiring a collateral deposit of \$45,480.00 upon return of the executed agreement from Southern California Edison and the approval of County Counsel, Auditor Controller and Risk Manager or their authorized representatives;

c) Approve and Authorize the Chair to execute the Fourth Amendment to the Amended Contract between the County of Santa Barbara and MSB Investors, LLC for the Development and Operation of the Tajiguas Resource Recovery Project; and

d) Determine that the previous Final Subsequent Environmental Impact Report (EIR) 12EIR-00000-00002 (SCH No. 2012041068) and Subsequent EIR Revision Letter and Errata dated May 27, 2016 certified by the Board of Supervisors on July 12, 2016 and Final Subsequent EIR Addendum dated August 11, 2017 (revised October 26, 2017) considered by the Board of Supervisors on November 14, 2017 are adequate review pursuant to California Environmental Quality Act Guidelines Section 15162, no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore the fourth amendment to the contract with MSB Investors, LLC, Bioenergy Market Adjusting Tariff Power Purchase Agreement, the Net Energy Metering and Generating Facility Interconnection Agreement, and the Facilities Financing and Ownership Agreement with Southern California Edison are within the scope of the project covered by the prior environmental review and no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this action.

A-20) PUBLIC WORKS19-01041

Consider recommendations regarding US 101 at Clark Avenue Northbound Interchange Improvement near Orcutt, County Project No. 862331, Fourth District, as follows:

- a) Approve plans and specifications for Construction of US 101 at Clark Avenue Northbound Interchange Improvement near Orcutt;
- b) Award the construction contract in the amount of \$2,708,711.00 to the lowest responsible bidder, Granite Construction Company (a local Vendor), 5335 Debbie Lane, Santa Barbara, CA 93160, subject to the provision of documents and certifications, as set forth in the specifications applicable to the project, as required under California Law;
- c) Approve and authorize the Chair to execute a construction contract, which has been reviewed and approved by County Counsel, Auditor-Controller and Risk Manager, or their authorized representatives;
- d) Approve and authorize the Director of Public Works or designee to approve change orders for supplemental work items in an amount up to \$12,500.00 and a contingency amount up to \$148,560.55 for the Clark Avenue/101 Interchange Improvement Project, for a total not to exceed authorization of \$2,869,771.55; and
- e) Determine the project was found by the Board to be exempt from the provisions of the California Environmental Quality Act pursuant to 14 CCR 15301(c) on February 14, 2017 (as the proposed project 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 Notice of Exemption was filed on that basis, and the proposed action is within the scope of the above referenced Notice of Exemption.

A-21) PUBLIC WORKS[19-01037](#)

Consider recommendations regarding Parcel Map No. 14,697, Garner, 06TPM-00000-00008 and accept Public Utility Easement Dedications per said map, First District, as follows:

a) Subject to recordation of the Parcel Map No. 14,697, accept on behalf of the public and authorize the Clerk of the Board to endorse Parcel Map No. 14,697 accepting the offers of dedication, as follows:

i) Easements for Public Utility purposes as shown thereon; and

b) Determine that, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the recommended actions because there are no substantial changes proposed, no substantial changes in circumstances, and no new information of substantial importance regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore the recommended actions are within the scope of the environmental review documents for this project [Final Mitigated Negative Declaration (08NGD-00000-00006) approved and adopted by the Montecito Planning Commission on June 18, 2008] and no new environmental document shall be prepared for this project.

A-22) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND[19-01055](#)

WATER CONSERVATION DISTRICT, BOARD OF DIRECTORS, WATER AGENCY, BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT
Consider recommendations regarding a Resolution to authorize the Public Works Director to undertake Emergency Response Operations, as follows: (4/5 Vote Required)

Acting as the Board of Supervisors; the Board of Directors, Water Agency; the Board of Directors, Flood Control and Water Conservation District; and the Board of Directors, Laguna County Sanitation District:

a) Adopt a Resolution authorizing the Public Works Director or designee to take emergency action to prevent or mitigate the loss or impairment of life, health, property, or essential public services. This Resolution will supersede and replace Resolution 15-321; and

b) Determine that the proposed action is not a project under the California Environmental Quality Act, pursuant to Guidelines Section 15378(b)(5) as it consists of organization or administrative activities that will not result in a direct or indirect physical change in the environment.

A-23) SHERIFF[19-01051](#)

Consider recommendations regarding a Transfer of Ownership of Retired Sheriff's K9, as follows:
(4/5 Vote Required)

- a) Approve the retirement and transfer of ownership of Sheriff's K9, "Magnum vom Inglishaus" to Deputy Michael McNeil for the sum of One Dollar; and
- b) Determine that this action is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5), which exempts organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment.

A-24) SHERIFF[19-01065](#)

Consider recommendations regarding donations of \$70,149.12 from the Sheriff's Benevolent Posse of which \$30,000.00 is for Sheriff's Office Programs, as follows: (4/5 Vote Required)

- a) Accept a donation of \$30,000.00 from the Sheriff's Benevolent Posse, a 501(c) (3) organization, for Drug Abuse Resistance Education (D.A.R.E.);
- b) Accept a donation of Special Operations Response Team (S.O.R.T.) team equipment from the Sheriff's Benevolent Posse with a total value of \$24,277.40;
- c) Accept a donation of flooring material and installation in the Sheriff's Main Jail Employee Fitness Center with a total value of \$15,871.72;
- d) Approve Budget Revision Request No. 0006717 to increase appropriations of \$70,150.00 in Sheriff General Fund for Services and Supplies (\$54,278.00) and Capital Assets-Structures and Structure Improvements (\$15,872.00) funded by unanticipated revenue from Miscellaneous Revenue - Donations (\$54,278.00) and Miscellaneous Revenue - Capital Donations (\$15,872.00), funded by the donation; and
- e) 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 "[t]he 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-25) SHERIFF[19-01062](#)

Consider recommendations regarding a new salary range for the forensic pathologist job classification within the Sheriff's Office, as follows: (4/5 Vote Required)

a) Adopt a Resolution to establish a new salary range for the single-position job classification of Forensic Pathologist, and place the current incumbent at B-step in the new salary range, as of December 16, 2019; and

b) Determine that these actions are exempt from California Environmental Quality Act (CEQA) review as it is not a project pursuant to CEQA Guidelines section 15378 (b) (5).

A-26) TREASURER-TAX COLLECTOR[19-01067](#)

Consider recommendations regarding an agreement for Services and License of Software and Budget Revision Request, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute the Agreement for Services and License of Software with Creditron Corporation in an amount not to exceed \$388,774.00 for a remittance processing and image archival system replacement with an initial contract term of three (3) years and automatic renewals thereafter for successive one (1) year terms unless either party notifies the other party in writing of its termination of the Agreement at least ninety (90) days prior to the termination date of the initial term or any subsequent renewal term;

b) Approve Budget Revision Request No. 0006730 to transfer appropriations of \$78,200.00 in Treasurer-Tax Collector General fund from Services and Supplies to Capital Assets-Software, and increase appropriations of \$231,200.00 for Capital Assets-Software funded by unanticipated revenue from Charges for Services for a new remittance processing and image archival system. The Budget Revision Request includes additional hardware costs related to the project which are going to be procured separately through competitive bid; 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 impact on the environment, and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

Board of SupervisorsA-27) SUPERVISOR HART[19-01057](#)

Approve the reappointment of Gene Geller to the Goleta Cemetery District Board of Trustees, term ending December 31, 2023, Second District.

A-28) SUPERVISOR HART[19-01058](#)

Approve the reappointment of Angie Swanson-Kyriaco to the Behavioral Wellness Commission, term ending January 1, 2023, Second District.

A-29) SUPERVISOR LAVAGNINO[19-01059](#)

Approve the appointment of Alison Lynette Wales to the Commission for Women, term ending December 31, 2022, Fifth District.

Administrative ItemA-30) COUNTY EXECUTIVE OFFICE[19-01068](#)

Consider recommendations regarding a response to Presidential Executive Order 13888 regarding Refugee Resettlement, as follows:

- a) Receive and file a report on Presidential Executive Order 13888 of September 26, 2019, Enhancing State and Local Involvement in Refugee Resettlement;
- b) Provide consent for resettlement of refugees within the County of Santa Barbara and authorize the County Executive Officer to sign the required letter to that effect; and
- c) Determine the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378 (b)(5) because it is a governmental administrative activity that will not result in any direct or indirect physical changes in the environment.

Approval of Administrative Agenda**Public Comment Period**

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

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

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE [19-01061](#)

HEARING - Consider recommendations regarding an update on Legislative Advocacy and Adoption of the 2020 Legislative Platform, as follows: (EST. TIME: 30 MIN.)

- a) Receive an update from the County's Legislative advocates;
- b) Adopt the County of Santa Barbara 2020 Legislative Platform;
- c) Adopt the Resolution Establishing the Legislative Program Committee as a Standing Committee of the Board of Supervisors; and
- d) Find that the proposed actions do not constitute a "Project" within the meaning of California Environmental Quality Act, pursuant to 14 CCR 15378(b)(2), as it consists of general policy and procedure making.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

2) COMMUNITY SERVICES [19-00942](#)

HEARING - Consider recommendations regarding adjustments to County parks fees for special events, aquatic programs, and camping fees, and establishing new fees, as follows: (EST. TIME: 30 MIN.)

- a) Adopt a Resolution that:
 - i) Adjusts County Parks fees for special events, aquatic programs, and camping fees, and establishes new fees;
 - ii) Authorize the Community Services Director, or designee, to offer discounted or promotional fees for tents, cabin, yurts, and RV hook-up sites during times of low vacancy levels; and
 - iii) Authorize the Community Services Director, or designee, to adjust fees on an annual basis for tents, cabins, yurts, and RV hook-up sites based on changes to the Consumer Price Index; and
- b) Determine that the above-recommended actions are statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21080(b)(8) of the California Public Resources Code and CEQA Guidelines Section 15273(a)(1), (2), and (4) since CEQA does not apply to the establishment, modification, structuring, restructuring, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of: (1) Meeting operating expenses, including employee wage rates and fringe benefits, (2) Purchasing or leasing supplies, equipment, or materials, and (3) Obtaining funds for capital projects necessary to

maintain service within existing service areas.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

3) COUNTY EXECUTIVE OFFICE[19-01056](#)

HEARING - Consider recommendations regarding Chapter 50 - Licensing of Commercial Cannabis Operations Ordinance Storefront Retail Amendments and Cannabis Business Licensing Fee Ordinance Amendments, as follows: (EST. TIME: 2 HR.)

- a) Consider the introduction (First Reading) of an Ordinance 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 January 14, 2020 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) Consider the introduction (First Reading) of an amending the Ordinance 5041, “An Ordinance Establishing the Cannabis Business License Fee”;
- e) Read title: “An Ordinance Amending Ordinance 5041, An Ordinance Establishing the Cannabis Business License Fee” and waive reading of the Ordinance in full;
- f) Set a hearing on the Administrative Agenda for January 14, 2020 to consider the adoption (Second Reading) of “An Ordinance Amending Ordinance 5041, An Ordinance Establishing the Cannabis Business License Fee”;
- g) Provide direction to staff on revisions to cannabis storefront retail requirements, if desired; and
- h) 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;

That the Board on the Administrative Agenda of January 14, 2020:

- a) Consider the adoption (Second Reading) of an Ordinance amending Chapter 50 of the Santa Barbara County Code, Licensing of Commercial Cannabis Operations;
- b) Consider the adoption (Second Reading) of an Ordinance amending the Ordinance 5041, “An Ordinance Establishing the Cannabis Business License Fee”;
- c) 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

Adjourn to

Tuesday, January 14, 2020

County Administration Building
Board Hearing Room
105 East Anapamu Street , Fourth Floor
Santa Barbara

Challenges

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

Announcements

The meeting of Tuesday, December 17, 2019 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, December 19, 2019, at 5:00 PM and on Saturday, December 21, 2019, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>