

County of Santa Barbara
BOARD OF SUPERVISORS



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First District - Das Williams
Second District - Laura Capps, Vice Chair
Third District - Joan Hartmann
Fourth District - Bob Nelson
Fifth District - Steve Lavagnino, Chair

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, March 12, 2024

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.

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 Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

Pledge of Allegiance

Approval of Minutes of the March 5, 2024 Meeting

**A motion was made by Supervisor Nelson, seconded by Supervisor Hartmann, to
approve the minutes. The motion carried by the following vote:**

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

County Executive Officer's Report[24-00001](#)

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

No report from the County Executive Officer, Mona Miyasato.

12:00 P.M. Recessed to Closed Session**Closed Session**[24-00102](#)

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

Significant exposure to 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 NELSON****24-00220**

Adopt a Resolution of Commendation honoring William A. Haro upon his retirement from the Public Works Department after over 24 years of faithful and distinguished service to the citizens of Santa Barbara County.

Darryl Scheck addressed the Board.

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

RESOLUTION NO. 24-33

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

A-2) SUPERVISOR LAVAGNINO**24-00221**

Adopt a Resolution of Commendation honoring Trent Benedetti upon the conclusion of his service as a Trustee of the Santa Barbara County Employees' Retirement System.

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

RESOLUTION NO. 24-34

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

A-3) SUPERVISOR HARTMANN**24-00100**

Adopt a Resolution proclaiming the week of March 10, 2024 through March 16, 2024 as National Groundwater Awareness Week in Santa Barbara County.

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

RESOLUTION NO. 24-35

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
 Supervisor Nelson, and Supervisor Lavagnino

Administrative Items**A-4) COMMUNITY SERVICES DEPARTMENT****24-00231**

Consider recommendations regarding the Approval and Execution of Amendments to Community Development Block Grant (CDBG) Subrecipient Agreements with Santa Barbara Neighborhood Clinics (SBNC) and PATH (People Assisting the Homeless), First and Second Districts, as follows:

a) Approve and authorize the Chair to execute a Fourth Amendment to the CDBG Subrecipient Agreement between the County and SBNC (Fourth Amendment to SBNC Agreement) extending the term of the SBNC Agreement until December 31, 2024;

b) Approve and authorize the Chair to execute a Third Amendment to the CDBG Subrecipient Agreement between the County and PATH (Third Amendment to PATH Agreement) extending the term of the PATH Agreement until June 30, 2024; and

c) Determine that the recommended actions are exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15378(b)(4), finding that the actions are creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

A motion was made by Supervisor Williams, 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 Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

A-5) COMMUNITY SERVICES DEPARTMENT

[24-00232](#)

Consider recommendations regarding an Agreement with Harris and Associates to Prepare a Countywide Strategic Plan for Workforce Housing Development and Preservation, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute an Agreement with Harris and Associates, Inc. in the amount of \$246,490.00 for delivery of a Strategic Plan for Workforce Housing Development and Preservation;

b) Authorize the County's Community Services Department Director, or designee, to approve and execute amendments to extend the term of the agreement, to amend the Agreement's Budget line items and/or amounts in each line item, provided that the overall amount of the Budget is not increased, and approve necessary administrative changes to the Agreement that are necessary to conform with Federal, state, and local laws, guidelines, policies, and funding amounts;

c) Approve allocation \$246,490.00 of American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Fund (SLFRF) grant funds for a Workforce Housing Development and Preservation consultant, funded from offsetting reductions to the Broadband Strategy Study (\$15,000.00) and Homeless Encampment Strategy Year 1 (\$231,490.00) projects;

d) Approve Budget Revision Request No. 0009594 to establish appropriations of \$246,490.00, funded by an Operating Transfer from ARPA of \$246,490.00; and

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

Jonathan Abboud, Jay Freeman, and Carrie Topliffe addressed the Board.

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

- a) Approved and authorized; Chair to execute;
- b) Authorized; and
- c) through e) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

A-6) COMMUNITY SERVICES DEPARTMENT

[24-00234](#)

Consider recommendations regarding the approval and execution of an Amendment to the Community Development Block Grant (CDBG) Subrecipient Agreement with Girls Inc. of Carpinteria, First District, as follows:

- a) Approve and authorize the Chair to execute a First Amendment to the CDBG Subrecipient Agreement between the County and Girls Incorporated of Carpinteria (First Amendment) providing additional CDBG funding in the amount of \$35,000.00 to cover project management costs for the Girls Incorporated Kitchen Renovation project; and
- b) Find that this project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, subdivision (d) of the CEQA Guidelines, as the project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, and direct staff to file a Notice of Exemption on that basis.

A motion was made by Supervisor Williams, 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 Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

A-7) COUNTY EXECUTIVE OFFICE**24-00230**

Approve Budget Revision Request No. 0009583 (Majority Vote Required); and Budget Revision Request No. 0009576 (4/5 Vote Required).

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

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
 Supervisor Nelson, and Supervisor Lavagnino

A-8) FIRE DEPARTMENT**24-00241**

Consider recommendations regarding a Request for Waiver of Competition in the Purchase of Locution PrimeAlert Fire Station Alerting Systems, as follows: (4/5 Vote Required)

a) Authorize the Chief Procurement Officer as the County Purchasing Agent, pursuant to County Code Section 2-39, to procure two Locution PrimeAlert Fire Station Alerting Systems for the Regional Fire Communications Center (RFCC) and the Backup Dispatch Center, for a total amount of \$213,372.00, without conducting a competitive procurement;

b) Approve Budget Revision Request No. 0009506 to establish appropriations of \$232,000.00 in the Fire Protection District fund for capital assets; and

c) Determine pursuant to 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 Williams, seconded by Supervisor Hartmann, that this matter be acted on as follows:

a) Authorized; and

b) and c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
 Supervisor Nelson, and Supervisor Lavagnino

A-9) PLANNING AND DEVELOPMENT DEPARTMENT**24-00222**

Consider recommendations regarding a Report on Case No. 24EMP-00001: Emergency Permit to allow the repair of Freeport-McMoRan's Gaviota Desalination Plant Brine (Wastewater) Outfall Line, Third District, as follows:

a) Receive and file a report on Emergency Permit Case No. 24EMP-00001, approved by the Director of Planning and Development on January 23, 2024, which authorized the excavation and repair of a portion of Freeport-McMoRan's Gaviota Desalination Plant's brine (wastewater) outfall line; and

b) Determine that receiving and filing the report is not a project pursuant to 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 Williams, 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 Capps, Supervisor Hartmann,
 Supervisor Nelson, and Supervisor Lavagnino

A-10) PLANNING AND DEVELOPMENT DEPARTMENT**24-00223**

Consider recommendations regarding the 2023 Comprehensive Plan Annual Progress Report, as follows:

a) Receive and file the 2023 Comprehensive Plan Annual Progress Report; and

b) Determine that the annual progress report is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5).

A motion was made by Supervisor Williams, 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 Capps, Supervisor Hartmann,
 Supervisor Nelson, and Supervisor Lavagnino

A-11) PUBLIC HEALTH DEPARTMENT**24-00233**

Consider recommendations regarding the Ninth Amendment to the Oregon Community Health Information Network (OCHIN) Master System Agreement, as follows:

- a) Approve and authorize the Chair to execute a Ninth Amendment to the Master System Agreement with OCHIN to exercise an option to extend the term of the Agreement through March 31, 2026 and to increase funding by \$1,582,600.00 for the additional two-year period for a revised total amount not to exceed \$8,724,600.00; and
- b) Determine that the proposed action does not constitute a “Project” within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(4) of the CEQA Guidelines, because the action consists of the creation of a government funding mechanism, 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 Williams, 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 Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

A-12) PUBLIC HEALTH DEPARTMENT**24-00235**

Consider recommendations regarding a California Strengthening Public Health Initiative (CASPHI) Funding Allocation, as follows: (4/5 Vote Required)

- a) Approve, ratify, and authorize the Director of Public Health, or designee, to make certifications and to accept Award No. CASPHI0035 for \$866,749.00 in CASPHI funding through the State's spending plan for Public Health Infrastructure Investment. Funding for these activities is covered for the period beginning December 1, 2022 through November 30, 2027 from the California Department of Public Health (CDPH);
- b) Approve and authorize Budget Revision Request No. 0009159 in the amount of \$173,350.00 to establish appropriations for \$173,350.00 of unanticipated revenue from CDPH to fund strengthening public health infrastructure investment for Fiscal Year (FY) 2023-2024 in the County's financial system; and
- c) Determine that the recommended actions are not a "Project" with the meaning of the California Environmental Quality Act (CEQA) and are exempt per CEQA Guideline Section 15378(b)(4), since the recommended actions are the creation of governmental 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 Williams, seconded by Supervisor Hartmann, that this matter be acted on as follows:

- a) Approved, ratified and authorized;**
- b) Approved and authorized; and**
- c) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
 Supervisor Nelson, and Supervisor Lavagnino

A-13) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, FLOOD
CONTROL AND WATER CONSERVATION DISTRICT

[24-00225](#)

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

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

- a) Receive and review a report from the Public Works Director regarding emergency actions taken pursuant to Resolution No. 19-327 and Public Contract Code Section 22050 related to emergency operations responding to flooding, storms, and debris removal projects following the 2023 and 2024 winter storm events and the necessity of the action and the reasons the emergency will not permit delay resulting from competitive solicitation of bids;
- b) Determine that there is a need to continue the emergency actions ordered by the Public Works Director (4/5 vote required);
- c) Direct staff to return to the Board every 14 days to allow the Board to review the emergency actions and determine, by a 4/5 vote, whether there is a need to continue the emergency actions until the actions are terminated;
- d) Determine that the recommended actions related to and continuations of the January 31 - February 2024 storms are statutorily exempt under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15269(c), and a Notice of Exemption was filed on this basis on February 27, 2024, and the proposed action is within the scope of that Notice of Exemption;
- e) Determine that these emergency actions related to and continuations of 2023 storm response were found by the Board to be exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15269(c) and a Notice of Exemption was filed on this basis on January 24, 2023, and the proposed action is within the scope of that Notice of Exemption; and
- f) Determine that emergency actions for the Santa Maria River Restoration of Alignment Project were found by the Board to be exempt from the provisions of the State CEQA pursuant to Executive Order N-10-23, as well as State CEQA Guidelines Section 15269(c) on September 12, 2023, and the proposed action is within the scope of the Notice of Exemption filed on September 19, 2023.

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

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

- a) Received and reviewed;**
- b) Approved;**
- c) Directed; and**
- d) through f) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

A-14) PUBLIC WORKS DEPARTMENT

[24-00226](#)

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

- a) Receive and review a report from the Public Works Director regarding emergency actions taken pursuant to Resolution No. 19-327 and Public Contract Code Section 22050 related to emergency operations responding to flooding, storms, debris removal and transportation projects following the recent 2023 and 2024 storm events (23STM1, 23STM2, 24STM1 and 24STM2) and the necessity of the action and the reasons the emergency will not permit delay resulting from competitive solicitation of bids;
- b) Determine that there is a need to continue the emergency actions ordered by the Public Works Director (4/5 vote required);
- c) Direct staff to return to the Board at the next regular meeting, or every 14 days in the case of consecutive weekly regular meetings, to allow the Board to review the emergency action and determine whether there is a need to continue the emergency action, by a 4/5 vote, until the actions are terminated;
- d) Determine that the 2023 winter storms (23STM1 and 23STM2) emergency actions were found by the Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15269(d) on February 7, 2023. A Notice of Exemption was filed on this basis on February 7, 2023, and the proposed action is within the scope of that Notice of Exemption; and

e) Determine that the 2024 winter storm (24STM1 and 24STM2) emergency actions were found by the Board to be exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15269(d) on February 27, 2024. A Notice of Exemption was filed on this basis on February 27, 2024, and the proposed action is within the scope of that Notice of Exemption.

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

a) Received and reviewed;

b) Approved;

c) Directed; and

d) and e) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
 Supervisor Nelson, and Supervisor Lavagnino

A-15) SOCIAL SERVICES DEPARTMENT

[24-00239](#)

Consider recommendations regarding an agreement with the County of San Luis Obispo Department of Social Services for Regional Equity and Recovery Partnerships, as follows:

a) Approve and authorize the Department of Social Services Director, or designee, to accept the Regional Equity and Recovery Partnerships grant funds in the amount of \$1,150,000.00 for the period of March 12, 2024 through December 31, 2025;

b) Approve and authorize the Chair to execute an Agreement with the County of San Luis Obispo Department of Social Services (local vendor) to implement the Regional Equity and Recovery Partnerships project, in San Luis Obispo County, and to receive \$477,500.00 for the period of March 12, 2024 and ending December 31, 2025;

c) Authorize the Director of Social Services, or designee, to extend the Agreement with the County of San Luis Obispo Department of Social Services to allocate the amount of unused funds from the previous Fiscal Year budget to the next Fiscal Year budget, subject to appropriations and budget approval;

d) Authorize the Director of Social Services, or designee, to adjust the Line Item Budget of the Regional Equity and Recovery Partnerships agreement with County of San Luis Obispo Department of Social Services, without exceeding the total contract amount; and

e) Determine that the activity is not a “Project” subject to California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(4), 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 Williams, seconded by Supervisor Hartmann, that this matter be acted on as follows:

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

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

Hearing Requests

**A-16) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, LAGUNA [24-00228](#)
COUNTY SANITATION DISTRICT**

Set a hearing to consider recommendations regarding Laguna County Sanitation District, Ordinance Relative to Service Charges, Connection Charges, and Trunk Sewer Fees and Resolution Relative to Collection of Service Charges on the Tax Roll; Fourth and Fifth Districts, as follows:
(Set a hearing for May 7, 2024. Time estimate: 15 minutes)

Acting as the Board of Directors, Laguna County Sanitation District:

- a) Receive and file with the Clerk of the Board the fixed charge report for Fiscal Year 2024-2025;
- b) Approve the introduction (First Reading) of an Ordinance Amending Ordinance Nos. 3130 and 4142 to Change the Annual Service Charge, Connection Charge, and the Dutard-Solomon, and Bradley-Solomon Trunk Sewer Fees;

c) Read title: “An Ordinance of the Laguna County Sanitation District Amending Ordinance No. 3130 Adopted November 19, 1979, Which Established Service Charges, Connection Charges, and Other Rules and Regulations as Amended by Ordinance No. 4142 Adopted December 9, 1993 Establishing Trunk Sewer Fees. This Amending Ordinance Changes the Annual Service Charge and Connection Charge for Single Family and Duplex Dwelling Units, Apartments, Condominiums, Trailer Spaces, Mobile Homes and Non-residential Development; and also Changes the Dutard-Solomon and Bradley-Solomon Trunk Sewer Fees,” and waive reading of the Ordinance in full;

d) Direct the Clerk to count and report the number of written protests;

If no majority protest:

i) Set a hearing on the Administrative Agenda for May 14, 2024 to consider recommendations, as follows:

1) Consider the adoption (Second Reading) of an Ordinance Amending Ordinance Nos. 3130 and 4142 to Change the Annual Service Charge, Connection Charge, and the Dutard-Solomon and Bradley Solomon Trunk Sewer Fees;

2) Consider the adoption of a Resolution authorizing the collection of said charges on the tax roll; and

3) Determine that the above actions are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15273(a)(1), (2), (3), and (4) of the CEQA Guidelines because they are modifications of service charges, connection charges, and trunk line fees for the purposes of meeting operating and capital expenses, as well as for meeting financial reserve needs required to maintain services within this existing service area, and the modifications in charges and fees are not for the construction of capital projects for the expansion of the service system and approve the filing of a Notice of Exemption on that basis; or

ii) If majority protest, take no action and provide direction to staff.

Acting as the Board of Directors, Laguna County Sanitation District:

A motion was made by Supervisor Williams, seconded by Supervisor Hartmann, that this matter be set for a hearing, as follows: May 7, 2024 in Santa Barbara (EST. TIME 15 MINS.). The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
 Supervisor Nelson, and Supervisor Lavagnino

A-17) PUBLIC WORKS DEPARTMENT**24-00227**

Set a hearing to consider recommendations regarding County Service Area 12 (Mission Canyon Sewer District), Resolution Relative to Collection of Sewer Service Charges and Sewer Connection Charges on the Tax Roll, First District, as follows:

(Set a hearing for May 7, 2024. Time estimate: 15 minutes)

Acting as the governing authority of County Service Area 12:

- a) Receive and file with the Clerk of the Board a report entitled County Service Area 12 Fixed Charges Fee Report for Fiscal Year 2024-2025;
- b) Adopt a Resolution authorizing the collection of sewer service charges and sewer connection charges for County Service Area 12 on the tax roll in Fiscal Year 2024-2025; and
- c) Determine that the above actions are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21080(b)(8) of the California Public Resources Code and Section 15273(a)(1), (2), (3), and (4) of the State CEQA Guidelines because they are for the establishment of service charges for services provided with County Service Area 12, that no expansion of services or facilities will result, that the fees will be used for meeting operating expenses and financial reserve needs and requirements, and approve the filing of a Notice of Exemption on that basis.

Acting as the governing authority of County Service Area 12:

A motion was made by Supervisor Williams, seconded by Supervisor Hartmann, that this matter be set for a hearing, as follows: May 7, 2024 in Santa Barbara (EST. TIME 15 MINS.). The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

A-18) PUBLIC WORKS DEPARTMENT**[24-00229](#)**

Consider recommendations regarding establishing Benefit Assessments for County Service Areas 3, 31, and the Santa Barbara North County Lighting District, as follows:

Acting as the governing authority of County Service Area 3, County Service Area 31 and the Santa Barbara North County Lighting District:

a) Adopt a Resolution setting a public hearing on May 7, 2024 to establish benefit assessments for County Service Area 3, County Service Area 31 and the Santa Barbara North County Lighting District; and

b) Set a hearing on May 7, 2024 to consider recommendations, as follows:
(Set a hearing for May 7, 2024. Time estimate: 15 minutes)

i) Receive and file Benefit Assessment Reports for Fiscal Year 2024-2025 for County Service Area 3, County Service Area 31, and the Santa Barbara North County Lighting District with the Clerk of the Board;

ii) Adopt a Resolution establishing streetlighting charges (no changes proposed), for County Service Areas 3 for Fiscal Year 2024-2025;

iii) Adopt Resolution establishing streetlighting charges (no changes proposed), for County Service Areas 31 for Fiscal Year 2024-2025;

iv) Do not establish the benefit assessments (set to zero) in those portions of the Santa Barbara North County Lighting District authorized to do so for Fiscal Year 2024-2025; and

v) Determine that the above actions are exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR Section 15273(a)(1),(2),(3) and (4) of the State CEQA Guidelines because they are for the establishment of benefit assessment rates for services provided by County Service Areas 3 and 31, that no expansion of services or facilities will result, that revenues will be used for meeting operating expenses and financial reserve needs and requirements, and approve the filing of a Notice of Exemption on that basis.

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

Acting as the governing authority of County Service Area 3, County Service Area 31 and the Santa Barbara North County Lighting District:

a) Adopted; and

RESOLUTION NO. 24-36

b) i) through v) Set for a hearing on May 7, 2024 in Santa Barbara (EST. TIME 15 MINS.).

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Administrative Item

A-19) GENERAL SERVICES DEPARTMENT

[24-00268](#)

Consider recommendations regarding an agreement for Services of Independent Contractor with Langan CA, Inc. to respond to the Regional Water Quality Control Board - Central Coast Region Cleanup and Abatement Order No. R3-2023-0070, Fourth District, as follows:

- a) Approve and authorize the General Services Director or designee to execute, in substantially the same form, an Agreement for Services of Independent Contractor with Langan CA, Inc. in an amount not to exceed \$2,572,000.00 between the County of Santa Barbara (County), the City of Santa Maria (City), and the Santa Maria Public Airport District (Airport District), for an eight year term, to carry out the required actions necessary to comply with Cleanup and Abatement Order No. R3-2023-0070 issued by the Regional Water Quality Control Board - Central Coast Region for 2936 Industrial Parkway, Santa Maria, California with work being initiated via Task Orders;
- b) Approve and authorize the Director of General Services, or designee, to execute Task Orders and approve Task Order amendments within the scope of the Agreement, upon concurrence with the Auditor-Controller's Office and the Office of County Counsel; and
- c) Find that the recommended actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, finding that the actions consist of the minor alteration of existing facilities involving negligible or no expansion of existing or former use, Section 15304, finding the actions consist of minor alternations to land, 15306 where actions consist of basic data collection, research, experimental management, and resource evaluation activities, and 15309 which consists of activities limited entirely to inspections.

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

a) and b) Approved and authorized; and

c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

[24-00002](#)

Public Comment Period

THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (24-00002)

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

Re: Expressed Concerns with Electronic Voting Practices; and Concerns with Fraudulent Elections – Chuck Williams, LeAnne Woolever, and Sherry Foster addressed the Board

Re: Expressed Concerns with Government - George Alvarez addressed the Board

Re: Expressed Concerns Regarding Property Rights in Santa Barbara County; Concerns with False Claims and Charges Against Her; and Expressed Appreciation for Recent County Staff Conversations - Karin Hauenstein addressed the Board

Departmental Agenda
Planning Items and Public Hearings

1) **DISTRICT ATTORNEY'S OFFICE**

[24-00238](#)

HEARING - Consider recommendations regarding an Extra Help Services and Retirement Waiver for the District Attorney's Office, 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 Elaine Contreras is necessary to fill a critical need in the District Attorney's Office before 180 days have passed from her date of retirement;

b) Approve and authorize the District Attorney's Office to appoint retired employee Elaine Contreras as an Extra-Help employee to assist in the 2024 implementation of the District Attorney's new case management system (CMS) on a part-time basis, not to exceed 960 hours of annual service, with an effective start date of April 1, 2024; 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: 10:04 AM - 10:09 AM (5 MIN.)

Received and filed staff presentation and conducted a public hearing.

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

a) Approved;

b) Approved and authorized; and

c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

2) DISTRICT ATTORNEY'S OFFICE[24-00237](#)

HEARING - Consider recommendations regarding an Extra Help Services and Retirement Waiver for the District Attorney's Office, 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 Kimberly Siegel is necessary to fill a critical need in the District Attorney's Office before 180 days have passed from her date of retirement;
- b) Approve and authorize the District Attorney's Office to appoint retired employee Kimberly Siegel as an Extra-Help employee to assist with post-conviction case review and resentencing hearings on a part-time basis, not to exceed 960 hours of annual service, with an effective start date of April 1, 2024; 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: 9:59 AM - 10:03 AM (4 MIN.)

Received and filed staff presentation and conducted a public hearing.

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

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

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
 Supervisor Nelson, and Supervisor Lavagnino

3) COMMUNITY SERVICES DEPARTMENT[24-00240](#)

HEARING - Consider recommendations regarding the Commission for Women 2024 Women's History Month Service Awards, as follows: (EST. TIME: 30 MIN.)

a) Receive and file the Commission for Women 2024 Women's History Month Service Awards Presentation; and

b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(2) and (5) of the CEQA guidelines because they consist of general policy and procedure making and administrative activities of government that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:09 AM - 10:28 AM (19 MIN.)

Received and filed staff presentation and conducted a public hearing.

A motion was made by Supervisor Capps, 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 Capps, Supervisor Hartmann,
 Supervisor Nelson, and Supervisor Lavagnino

4) PLANNING AND DEVELOPMENT DEPARTMENT24-00224

HEARING - Consider recommendations regarding the Key Site H Development Agreement, Case No. 23ORD-00004, Fourth District, as follows: (EST. TIME: 1 HR. 30 MIN.)

a) Receive and file the County Planning Commission's recommendation to approve the Key Site H Development Agreement project (23ORD-00004);

b) Approve the introduction (first reading) of an Ordinance approving the Key Site H Development Agreement (23ORD-00004);

c) Read the title of the Ordinance into the record and waive full reading of the Ordinance; and

d) Set a hearing for the Administrative Agenda of March 19, 2024, to consider recommendations, as follows:

i) Make the required findings for approval of the project, Case No. 23ORD-00004, including California Environmental Quality Act (CEQA) findings, Findings for Approval;

ii) Determine that the ninety-nine (99) unit multifamily residential development project as described in the Development Agreement, including Exhibit B (Example Project Plans Implementing Development Agreement Provisions), is exempt from CEQA pursuant to State CEQA Guidelines Section 15194, Affordable Housing Exemption, and Public Resource Code Section 21159.23, Low Income Housing, as specified in the CEQA Notice of Exemption; and

iii) Approve the adoption (second reading) of an Ordinance approving the Key Site H Development Agreement (23ORD-00004).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:43 AM - 11:49 AM (1 HR. 6 MIN.)

Rosie Rojo, James Brenneman, Miko Nehman, Constance Van Belleghem, and Lisa Thompson addressed the Board.

Received and filed staff presentation and conducted a public hearing.

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

Accepted the following document into the record: Public Comment received March 12, 2024 at the time of hearing from Miko Nehman.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

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

- a) Received and filed;
- b) Introduction (first reading) approved of an Ordinance approving the Key Site H Development Agreement (23-ORD-00004);
- c) Read title, waived further reading of the Ordinance; and
- d) i) through iii) Set for March 19, 2024 in Santa Barbara.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
 Supervisor Nelson, and Supervisor Lavagnino

5) COUNTY EXECUTIVE OFFICE[24-00242](#)

HEARING - Consider recommendations regarding a Second Quarter, Fiscal Year (FY) 2023-2024 update on Cannabis Taxation, Compliance, and Enforcement, as follows: (EST. TIME: 20 MIN.)

- a) Receive and file an update on the status of cannabis tax collection, land use permitting, business licensing, and enforcement;
- b) Provide any other direction to staff regarding the County's cannabis program; and
- c) 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).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:49 AM - 12:05 PM (16 MIN.)

Received and filed staff presentation and conducted a public hearing.

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

- a) Received and filed;**
- b) No action taken; and**
- c) Approved.**

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann,
Supervisor Nelson, and Supervisor Lavagnino

6) COUNTY EXECUTIVE OFFICE[24-00101](#)

HEARING - Consider recommendations regarding Cannabis Taxation Options, as follows: (EST. TIME: 1 HR.)

a) Consider options for alternate methods or changes to the cannabis taxation structure related to cultivation, as follows:

i) Develop tax structure for cultivation area by square foot;

ii) Develop tax structure for cultivation by weight (pound or ounce) of cannabis product;

iii) Provide direction to staff to maintain current taxation method (gross sales receipts); or

iv) Provide other direction to staff on taxation methods;

b) Provide direction to staff to develop a ballot measure for cannabis taxation including creation of documents for the November 2024 General Election ballot as needed; and

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

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 12:47 PM - 3:08 PM (2 HR. 21 MIN.)

Jared Ficker, David Van Wingerden, Amy Steinfeld, Bryce Nickter, Mike Palmer, Kapono Cury, Patrick Fourmy, Jack Motter, Micah Anderson, and Todd Mehl addressed the Board.

Received and filed staff presentation and conducted a public hearing.

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

a) i) through iv) Directed staff to study the following two alternative methods to the cannabis tax structure for cultivation, as follows: (1) Tax structure based on a hybrid model (gross receipts and square footage); and (2) Tax structure by square footage that is more aligned with the rest of the state. Further directed staff to include a minimum and a maximum and method of floatation on the state licensed area;

b) Directed; and

c) Approved.

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, and Supervisor Nelson

Noes: 1 - Supervisor Lavagnino

7) SOCIAL SERVICES DEPARTMENT[24-00236](#)

HEARING - Consider recommendations regarding a Farmworker Resource Center Project Update, as follows (EST. TIME: 45 MIN.)

a) Receive and file a presentation and update on the activities and impact of the Farmworker Resource Center project; and

b) Determine that the proposed action is related to organization or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and is therefore is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline Section 15378 (b)(5).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 3:19 PM - 3:34 PM (15 MIN.)

Received and filed staff presentation and conducted a public hearing.

A motion was made by Supervisor Nelson, 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 Capps, Supervisor Hartmann,
 Supervisor Nelson, and Supervisor Lavagnino

Adjourned at 3:45 PM

Adjourned to

Tuesday, March 19, 2024

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, March 12, 2024 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, March 14, 2024, at 5:00 PM and on Saturday, March 16, 2024, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>