County of Santa Barbara

BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, January 10, 2023 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:

 Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Pledge of Allegiance

Call to Order and Election of Chair and Vice Chair of the 2023 Board of Supervisors, Board of Directors of the Flood Control and Water Conservation District, and Board of Directors of the Water Agency

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

Appointed Supervisor Williams as Chair of the Santa Barbara County Board of Supervisors for 2023 and appointed Supervisor Lavagnino as Vice-Chair of the Santa Barbara County Board of Supervisors for 2023.

The motion carried by the following vote:

Ayes:

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

Approval of Minutes of the December 13, 2022 Meeting

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

Ayes:

 Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Approval of Minutes of the December 21, 2022 Special Meeting

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

Ayes:

County Executive Officer's Report

23-00001

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

The County Executive Officer, Mona Miyasato introduced Fire Chief Mark Hartwig, Sheriff Bill Brown, Office of Emergency Management Director Kelly Hubbard, Public Works Director Scott McGolpin and Planning and Development Director Lisa Plowman to provide an update on the January 2023 Storm event that began on January 9, 2023.

12:00 P.M. Recessed to Closed Session

Closed Session

<u>23-00050</u>

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Government Code section 54956.9)

Ronnie Baker, et al. v. County of Santa Barbara et al., U.S. District Court, Central District of California, Case No: 2:20-cv-10167-FLA-AFM

County of Santa Barbara v. The Regents of the University of California, Santa Barbara County Superior Court, Case No. 22CV03741

PUBLIC EMPLOYEE APPOINTMENT / RE-APPOINTMENT

(Paragraph (1) of subdivision (b) of Government Code section 54957)

General Services Director.

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.

Administrative Items

A-1) <u>AUDITOR-CONTROLLER'S OFFICE</u>

23-00036

Consider recommendations regarding AB1600 Mitigation Fee Annual Report, Fiscal Year (FY) 2021-2022, as follows:

- a) Receive and review the FY 2021-2022 AB1600 Mitigation Fee Annual Report which includes the mitigation fee financial activity for FY 2021-2022 and the fee schedules for the Countywide, Orcutt, Goleta, South Coast, Santa Ynez, Lompoc and Santa Maria development impact fee programs; 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 Capps, seconded by Supervisor Hartmann, that this matter be acted on as follows:

- a) Received and reviewed; and
- b) Approved.

The motion carried by the following vote:

A-2) BEHAVIORAL WELLNESS DEPARTMENT

23-00031

Consider recommendations regarding California Mental Health Services Authority (CalMHSA) Behavioral Health Prevention and Early Intervention (PEI) Participation Agreement, Fiscal Years (FYs) 2022-2025, as follows:

- a) Approve and authorize the Chair to execute the CalMHSA PEI Participation Agreement No. 1467-PEI-2022-SB for the provision of consultation services for the development and implementation of statewide PEI campaigns, programs, resources and material for suicide prevention and stigma and discrimination reduction to support Behavioral Health for compliance with the Department of Health Care Services (DHCS) California Strategic Plan on Suicide Prevention Plan, for a Maximum Agreement Amount not to exceed \$420,000.00 (\$120,00.00 for FY 2022-2023, \$150,000.00 for FY 2023-2024 and \$150,000.00 for FY 2024-2025, inclusive of an administrative fee of \$18,000.00 for FY 2022-2023, \$22,500.00 for FY 2023-2024, and \$22,500.00 for FY 2024-2025) upon execution by the County through June 30, 2025; and
- b) Determine that the above action is a government funding mechanism or other government fiscal activity, which does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment and is therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

A 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; and
- b) Approved.

The motion carried by the following vote:

A-3) BEHAVIORAL WELLNESS DEPARTMENT

23-00033

Consider recommendations regarding a Second Amendment to the Maxim Healthcare Staffing Services, Inc. Agreement for Fiscal Years (FYs) 2021-2023, as follows:

- a) Approve and authorize the Chair to execute the Second Amendment to the Agreement for Services of Independent Contractor with Maxim Healthcare Staffing Services, Inc. (not a local vendor), BC 21-029, to add dietitian staffing services, update language for compliance with state requirements, and update the rates in Exhibit B-1, with no change to the Maximum Agreement Amount not to exceed \$2,690,000.00, inclusive of \$1,300,000.00 for FY 2021-2022 and \$1,390,000.00 for FY 2022-2023, for the period of July 1, 2021 through June 30, 2023;
- b) Delegate to the Director of Behavioral Wellness or designee the authority to suspend the Agreement per Section 20 of the Agreement and make immaterial changes to the Agreement per Section 26 of the Agreement, all without altering the Maximum Agreement Amount and without requiring the Board's approval of an amendment of the Agreement, subject to the Board's ability to rescind this delegation at any time; and
- c) Determine that the above actions are government fiscal activities or funding mechanisms that do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

A 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) Delegated; and
- c) Approved.

The motion carried by the following vote:

A-4) BEHAVIORAL WELLNESS DEPARTMENT

23-00037

Consider recommendations regarding an Alcor Solutions, Inc. Managed Services Agreement, Fiscal Year (FY) 2022-2023, as follows:

- a) Approve, ratify, and authorize the Chair to execute an Agreement for Services of Independent Contractor with Alcor Solutions, Inc. for the provision of ServiceNow platform implementation, support, and maintenance for FY 2022-2023, for a total Maximum Contract Amount not to exceed \$150,000.00, for the period of July 1, 2022 through June 30, 2023 (Managed Services Agreement);
- b) Delegate to the Director of the Department of Behavioral Wellness or designee the authority to suspend, delay, or interrupt the services under the Agreement for convenience per Section 20 of the Agreement and make immaterial changes to the Agreement per Section 26 of the Agreement, all without altering the Maximum Contract Amount and without requiring the Board's approval of an amendment 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 funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

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

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

The motion carried by the following vote:

A-5) COMMUNITY SERVICES DEPARTMENT

23-00026

Consider recommendations regarding amendments to Sub-Recipient Agreements for the Housing and Disability Advocacy Program (HDAP), as follows:

- a) Approve, and authorize the Chair to execute the following amendments to subrecipient agreements for State of California HDAP funds with the specified subrecipients in the specified amounts, subject to annual appropriations and budget approval:
- i) First Amendment to Subrecipient Agreement with Good Samaritan Shelter (GSS) allocating \$1,214,850.00 in additional funds for Outreach, Case Management, and Housing Assistance to be fully expended by June 30, 2025, for an increased total GSS Subrecipient Agreement contract amount of \$2,349,700.00; and
- ii) First Amendment to Subrecipient Agreement with Legal Aid Foundation of Santa Barbara County (Legal Aid) allocating \$205,000.00 in additional funds for disability benefits advocacy and legal services to be fully expended by June 30, 2025, for an increased total Legal Aid Subrecipient Agreement contract amount of \$490,000.00; and
- b) Determine that the above recommended actions are 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 a potentially significant physical impact on the environment.

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

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

The motion carried by the following vote:

A-6) COMMUNITY SERVICES DEPARTMENT

23-00027

Consider recommendations regarding State of California Housing and Community Development Department (State HCD) Housing for a Healthy California (HHC) Loan Subordination Agreement pursuant to Board action on November 1, 2022, related to approval and execution of Loan Documents for a \$1,377,665.00 loan in State of California Community Development Block Grant Disaster Recovery Multi-Family Housing Program (CDBG-DR MHP) funds for Escalante Meadows (Project) in Guadalupe, Fifth District, as follows:

- a) Ratify the execution of a Subordination Agreement with State HCD, subordinating the County's \$1,377,665.00 CDBG-DR MHP loan to the State's HHC loan in the amount of \$5,600,000.00 provided to the Escalante Meadows affordable housing development in the City of Guadalupe (Project); 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)(5), finding that the subject item is an organizational or administrative activity of government(s) that will not result in direct or indirect physical changes in the environment.

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

- a) Ratified; and
- b) Approved.

The motion carried by the following vote:

A-7) COMMUNITY SERVICES DEPARTMENT

23-00028

Consider recommendations regarding HOME-ARP Tenant Based Rental Assistance (TBRA) Subrecipient Agreements with the Housing Authority of Santa Barbara County and the Housing Authority of the City of Santa Barbara, as follows:

- a) Approve and authorize the Chair to execute HOME-ARP TBRA Subrecipient Agreements that provide federal HOME-ARP funding in the aggregate amount of \$840,000.00 to administer TBRA between the County of Santa Barbara (County):
- i) The Housing Authority of the County of Santa Barbara (HASBARCO Housing Authority), in the amount of \$504,000.00; and
- ii) The Housing Authority of the City of Santa Barbara (HACSB Housing Authority), in the amount of \$336,000.00; and
- b) Determine that the proposed 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 Capps, seconded by Supervisor Hartmann, that this matter be acted on as follows:

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

The motion carried by the following vote:

A-8) COUNTY COUNSEL

23-00035

Consider recommendations regarding Amendment No. 2 to the Outside Counsel Contract with Renne Public Law Group, as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute Amendment No. 2 to the Agreement for Professional Legal Services with Renne Public Law Group, reviving the Agreement, extending the term to January 9, 2024 and increasing the not-to-exceed amount to \$73,000.00; 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 Capps, 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-9) COUNTY COUNSEL

23-00021

Consider recommendations regarding Ratification of the Montecito Fire Protection District's adoption of Ordinance No. 2022-01 (adopting and amending the 2022 California Fire Code and Appendices and amending Section R313 of the 2022 California Residential Code), as follows:

- a) Adopt a Resolution ratifying Montecito Fire Protection District's Ordinance 2022-01 (adopting and amending the 2022 California Fire Code and Appendices; amending Section R313 of the 2022 California Residential Code; amending Section 1505 of the 2022 California Building Code; and repealing Ordinance No. 2019-02);
- b) Upon ratification of the Ordinance, instruct the Clerk of the Board to forward a copy of the Board's ratifying Resolution, and the Montecito Fire Protection District's Ordinance (including Montecito Fire Protection District's findings which are set forth in Article 11 of the Ordinance), to the California Department of Housing and Community Development, pursuant to Health and Safety Code Section 13869.7; and

c) Determine that the adoption of the Resolution is categorically exempt from the California Environmental Quality Act in compliance with Section 15061(b)(3) (no possibility of impact on the environment).

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

a) Adopted; and

RESOLUTION NO. 23-1

b) and c) Approved.

The motion carried by the following vote:

Ayes:

 Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-10) COUNTY EXECUTIVE OFFICE

23-00020

Consider recommendations regarding the Circumstances of the Existing State of Emergency, as follows:

- a) Reconsider the circumstances of the existing state of emergency;
- b) Consider whether state or local officials continue to impose or recommend measures to promote social distancing;
- c) Find that the Board of Supervisors has considered the circumstances of the state of emergency, and that State or local officials continue to impose or recommend measures to promote social distancing; and
- d) Direct staff to notice and hold hearings as remote hearings consistent with Government Code Section 54953(e)(3).

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

- a) through c) Approved; and
- d) Directed.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Nelson

A-11) <u>COUNTY EXECUTIVE OFFICE</u>

23-00030

Consider recommendations regarding appointments to CenCal Health Board of Directors, as follows:

- a) Recommend appointment of Antonette (Toni) Navarro LMFT, Director of the Behavioral Wellness, (Classification- County of Santa Barbara), to the CenCal Health Board of Directors, effective January 1, 2023, and;
- b) Appoint the following persons to the CenCal Health Board of Directors for a two-year term effective January 1, 2023 December 31, 2024:
- i) Appointment of Sara Macdonald (Non-Provider Classification: Medi-Cal Recipient, Santa Barbara County), and
- ii) Appointment of Kieran Shah (Provider Classification: Other); and
- c) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15378(b)(5) since the recommended actions are government administrative activities which do not involve commitment to any specific project which may result in potentially significant physical impact on the environment.

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

- a) Approved;
- b) i) and ii) Approved; and
- c) Approved.

The motion carried by the following vote:

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

A-12) COUNTY EXECUTIVE OFFICE

23-00034

Approve Budget Revision Request Nos. 0008564; 0008659; and 0008676. (4/5 Vote Required)

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

A-13) GENERAL SERVICES DEPARTMENT

23-00022

Consider recommendations regarding a Temporary Right of Entry and Well License Agreement with the Montecito Groundwater Sustainability Agency (Montecito GSA) for the Installation, Operation and Maintenance of Four Groundwater Wells in Santa Barbara County Manning Park (RP No. 004037), First District, as follows:

- a) Approve and authorize the Chair to execute a Temporary Right of Entry and Well License Agreement between the County of Santa Barbara and the Montecito GSA for the installation, operation and maintenance of one (1) groundwater monitoring well and three (3) associated observation wells at Santa Barbara County Manning Park, which is owned by the County of Santa Barbara and identified as Assessor Parcel Numbers 009-060-050, 009-060-051, 009-060-055 and 007-220-001; and
- b) Accept the determination by Montecito GSA, acting as the project applicant and lead agency, that the project activities are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15303 [New Construction or Conversion of Small Structures], 15304 [Minor Alterations to Land], and 15306 [Information Collection] of Title 14 of the California Code of Regulations, and further accept the Notice of Exemption filed on October 8, 2022, with the Santa Barbara County Clerk of the Board of Supervisors.

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; and
- b) Accepted.

The motion carried by the following vote:

A-14) GENERAL SERVICES DEPARTMENT

23-00024

Consider recommendations regarding an Update to the Board Approval Process for Master Service Agreements (MSAs), as follows:

- a) Approve administrative changes to the Board approval process and template for Board authorization of multi-department MSAs exceeding the annual aggregate threshold of \$200,000.00 in payments to a single vendor set forth in Government Code Section 25502.5;
- b) Approve and direct the Purchasing Agent to execute the MSAs listed on the MSA Listing January 10, 2023; and
- c) Determine that the above actions are not a "project" and are exempt from California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA guidelines because they are organization or administrative activities of government that will not result in direct or indirect physical changes to the environment.

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

- a) Approved;
- b) Approved and directed; and
- c) Approved.

The motion carried by the following vote:

A-15) PUBLIC HEALTH DEPARTMENT

23-00038

Consider recommendations regarding the First Amendment to the HIV Care Program Grant Agreement with California Department of Public Health, as follows:

- a) Approve, ratify, and authorize the Chair to execute the First Amendment to Grant Agreement Number 18-10889 A1 and to make required certifications, if necessary, with California Department of Public Health to update invoice requirements and to accept an increase of \$107,386.00 for the HIV Care Grant Agreement in the amount not to exceed \$1,223,210.00 for the grant period April 1, 2019 through March 31, 2024; and
- b) Determine that this action is not a project under the California Environmental Quality Act (CEQA) review per 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 Capps, 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:

A-16) PUBLIC WORKS DEPARTMENT

23-00032

Consider recommendations regarding an edible food recovery Memorandum of Understanding (MOU) Extension with the cities of Buellton, Carpinteria, Goleta, Lompoc, Santa Barbara and Solvang, as follows:

- a) Approve, ratify, and authorize the Chair to execute an MOU with the cities of Buellton, Carpinteria, Goleta, Lompoc, Santa Barbara, and Solvang for the continued implementation of the Santa Barbara County Regional SB 1383 Food Recovery Plan; and
- b) Find that the proposed Agreement and MOU do not constitute a "Project" within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5) (administrative activity of government).

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

A-17) PUBLIC WORKS DEPARTMENT

23-00025

Consider recommendations regarding a Request for a Waiver of Competition for the Purchase of Lumber, Fasteners, and Sign Posts Single Source used in the Public Works - Roads Department, as follows:

- a) Authorize the Purchasing Agent to waive competitive bidding to procure lumber, fasteners, and sign posts used in road construction and repairs for Public Works from Hayward Lumber Co. (a local vendor) without being required to conduct a formal bid process in an amount not to exceed \$100,000.00 per year through June 30, 2027; and
- b) Determine that the proposed actions are not a "project" under the California Environmental Quality Act pursuant to Section 15378(b)(2), as it involves administrative and other general policy and procedure making activity that will not result in direct or indirect physical changes to the environment.

A motion was made by Supervisor Capps, 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:

 Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-18) PUBLIC WORKS DEPARTMENT

23-00029

Consider recommendations regarding a First Amendment to the Measure A Program of Projects for Fiscal Year (FY) 2022-2023 through FY 2026-2027, as follows:

- a) Approve the first amendment to the Measure A Five-Year Local Program of Projects for FYs 2022-2023 through 2026-2027, for submittal to the Santa Barbara County Local Transportation Authority for acceptance;
- b) Adopt the Resolution to amend the Measure A Five-Year Local Program of Projects for FYs 2022-2023 through 2026-2027; and
- c) Determine that this action is not subject to California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 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 Capps, seconded by Supervisor Hartmann, that this matter be acted on as follows:

- a) Approved;
- b) Adopted; and

RESOLUTION NO. 23-2

c) Approved.

The motion carried by the following vote:

A-19) PUBLIC WORKS DEPARTMENT

23-00049

Consider recommendations regarding an agreement for Services of Independent Contractor with Ernst and Young for financial services at the ReSource Center, Third District, as follows:

- a) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor (Ernst and Young) for consulting services in an amount not to exceed \$100,000.00 for the period of December 13, 2022 to June 30, 2024, to be paid from Resource Recovery Enterprise Funds; and
- b) Determine that the proposed action is an administrative activity that will not result in direct or indirect physical changes in the environment, and therefore is not a project as defined by State California Environmental Quality Act Guidelines section 15378 (b)(5).

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; and
- b) Approved.

The motion carried by the following vote:

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

A-20) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT

Consider recommendations regarding Laguna County Sanitation District Photovoltaic Solar Inverter Replacement, Fourth and Fifth Districts, as follows:

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

- a) Find that it is in the best interest of the Laguna County Sanitation District to enter into an energy services contract with Endelos Energy, Inc. (a Santa Barbara County vendor) to provide conservation services because the anticipated cost for electrical energy under the contract will be less than the anticipated marginal cost for electrical energy that would have been consumed in the absence of those purchases;
- b) Award an energy services contract to Endelos Energy, Inc. (a Santa Barbara County vendor) in the amount of \$199,821.26 to replace inverters to the photovoltaic solar facility located at the Laguna County Sanitation District wastewater reclamation plant;

- c) Approve and authorize the Chair to execute the energy services contract with Endelos Energy, LLC; and
- d) Find that the proposed action is for the minor alteration of existing public facilities involving no expansion of the use beyond that which presently exists, and that the proposed action is therefore exempt from the California Environmental Quality Act pursuant to 14 CCR 15301.

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

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

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

The motion carried by the following vote:

Ayes:

 Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Board of Supervisors

A-21) SUPERVISOR WILLIAMS

23-00048

Approve the reappointment of Marshall Miller to the Montecito Planning Commission, term ending January 9, 2025, First District.

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

Ayes:

A-22) SUPERVISOR CAPPS

23-00007

Approve the reappointment of Valerie Froscher to the South County Board of Architectural Review, term ending January 1, 2027, Second District.

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

Ayes:

 Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-23) SUPERVISOR CAPPS

23-00008

Approve the reappointment of Anahid "Ana" Papakhian to the Behavioral Wellness Commission, term ending January 1, 2026, Second District.

A motion was made by Supervisor Capps, 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-24) SUPERVISOR CAPPS

23-00009

Approve the reappointment of Ruth Ackerman to the Behavioral Wellness Commission, term ending January 1, 2026, Second District.

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

Ayes:

 Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-25) SUPERVISOR CAPPS

23-00010

Approve the reappointment of Alex Pujo to the South County Board of Architectural Review, term ending January 1, 2027, Second District.

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

Ayes:

A-26) SUPERVISOR CAPPS

23-00011

Approve the reappointment of Kalie Grubb to the South County Board of Architectural Review, term ending January 1, 2027, Second District.

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

Ayes:

 Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-27) SUPERVISOR CAPPS

23-00012

Approve the reappointment of Darian Bleecher to the Historic Landmarks Advisory Commission, term ending January 1, 2027, Second District.

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

Ayes:

Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-28) SUPERVISOR CAPPS

23-00013

Approve the reappointment of Dave Davis to the Air Pollution Control District Community Advisory Council, open term, Second District.

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

Ayes:

 Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-29) SUPERVISOR CAPPS

23-00014

Approve the reappointment of Lee Heller to the Air Pollution Control District Community Advisory Council, open term, Second District.

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

Ayes:

A-30) SUPERVISOR CAPPS

23-00015

Approve the reappointment of Laura Bridley to the County Planning Commission, term ending December 31, 2024, Second District.

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

Ayes:

 Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-31) SUPERVISOR HARTMANN

23-00047

Approve the appointment of Mark Oliver to the Arts Commission, term ending June 30, 2025, Third District.

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

Ayes:

Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-32) SUPERVISOR NELSON

23-00042

Approve the reappointment of Larry Ferini to the County Planning Commission, term ending December 31, 2024, Fourth District.

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

Ayes:

Hearing Requests

A-33) PLANNING AND DEVELOPMENT DEPARTMENT

23-00018

Set a hearing to consider recommendations regarding the Historic Landmarks Advisory Commission's Designation of Rocky Nook Park as a County Historic Landmark, First District, as follows:

(Set a hearing for January 24, 2023. Time estimate: 1 hour 15 minutes)

Consider taking one of the following actions:

- a) Approve the designation by and confirm the action of the Historic Landmarks Advisory Commission and the conditions to be imposed and adopt a Resolution with conditions, designating Rocky Nook Park located at 610 Mission Canyon Road, Santa Barbara, CA 93105 as a County Historic Landmark, and determine that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15308;
- b) Modify the designation by the History Landmarks Advisory Commission by modifying and adopting the Resolution with conditions to be imposed designating Rocky Nook Park located at 610 Mission Canyon Road, Santa Barbara, CA 93105 as a County Historic Landmark, and determine that the project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15308; or
- c) Disapprove the designation of the Historic Landmarks Advisory Commission designating the Rocky Nook Park located at 610 Mission Canyon Road, Santa Barbara, CA 93105 as a County Historic Landmark and the conditions to be imposed, and determine that the project is exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15270.

A motion was made by Supervisor Capps, seconded by Supervisor Hartmann, that this matter be set for a hearing, as follows: January 24, 2023 in Santa Maria (EST. TIME 1 HR. 15 MINS.). The motion carried by the following vote:

Honorary Resolutions

A-34) SUPERVISOR CAPPS

23-00019

Adopt a Resolution of Commendation honoring Stuart R. Magee upon his retirement from the Auditor-Controller's Office after over 18 years of dedicated and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 23-3

The motion carried by the following vote:

Ayes:

 Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Resolutions to be Presented

A-35) SUPERVISOR HARTMANN

23-00040

Adopt a Resolution proclaiming January 19, 2023 as Electric Assisted Bike Safety Awareness Day in Santa Barbara County.

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

RESOLUTION NO. 23-4

The motion carried by the following vote:

Ayes:

Board of Supervisors

A-36) SUPERVISOR LAVAGNINO

23-00051

Approve the reappointment of Vincent Martinez to the Planning Commission, term ending December 31, 2024, Fifth District.

A motion was made by Supervisor Capps, 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-37) <u>SUPERVISOR WILLIAMS</u>

23-00052

Approve the reappointment of Michael Cooney to the Planning Commission, term ending December 31, 2024, First District.

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

Ayes:

X-Agenda Request

X-1) COUNTY EXECUTIVE OFFICE

23-00053

Consider recommendations regarding the Ratification of a Proclamation of Local Emergency Caused by the January 2023 Storm, as follows: (4/5 Vote Required)

- a) Find that due to the storm that began on January 9, 2023 ("January 2023 Storm"), an emergency situation exists pursuant to Government Code sections 54954.2 and 54956.5 that requires immediate action, which need for action arose after the agenda for this meeting was posted;
- b) Receive an update on the January 2023 Storm and its potential impacts on the Thomas Fire, Cave, and Alisal Fire Burn Scars;
- c) Adopt a Resolution ratifying the Proclamation of a Local Emergency declared by the Director of Emergency Services on January 9, 2023 when the Board of Supervisors was not in session, pursuant to Government Code Section 8550 et. seq. and Chapter 12, Section 12-5(a) of the Santa Barbara County Code;
- d) Direct the Office of Emergency Management to return every sixty (60) days for ratification of the Emergency until such a time that conditions dictate otherwise; and
- e) Determine that these actions are exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15269.

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

- a) Approved;
- b) Received;
- c) Adopted;

RESOLUTION NO. 23-5

- d) Directed; and
- e) Approved.

The motion carried by the following vote:

Ayes:

23-00002

Public Comment Period

THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (23-00002)

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

Re: Expressed concerns with trails and e-bike safety - Kathleen Rosenthal addressed the Board

Re: Expressed concerns regarding public comment procedures - E-planet Thunderstriker addressed the Board

<u>Departmental Agenda</u> <u>Planning Items and Public Hearings</u>

1) COUNTY EXECUTIVE OFFICE

23-00016

HEARING - Consider recommendations regarding the Board of Supervisors' 2023 appointments to Boards, Commissions and Committees, as follows: (EST. TIME: 15 MIN.)

- a) Adult and Aging Network;
- b) Area Agency on Aging (Central Coast Commission for Senior Citizens);
- c) Beach Erosion Authority for Control Operations and Nourishment (BEACON);
- d) Behavioral Wellness Commission;
- e) California State Association of Counties (CSAC) Representative;
- f) CenCal Health;
- g) Child Care Planning Council;
- h) CommUnify (formerly Community Action Commission of Santa Barbara County);
- i) Community Corrections Partnership (CCP) Representative;
- j) Debt Advisory Committee;
- k) Elected Officials Committee on Regional Homelessness Solutions;
- 1) First Five Children and Families Commission of Santa Barbara County;
- m) Golden State Connect Authority (GSCA);
- n) Golden State Finance Authority (GSFA) Joint Powers Authority (JPA);
- o) Juvenile Justice Coordination Council;
- p) KIDS Network Policy Council;
- q) Law Library Board of Trustees;

- r) Legislative Program Committee;
- s) Library Advisory Committee;
- t) Local Agency Formation Commission (LAFCO);
- u) Multi-jurisdictional Solid Waste Task Force;
- v) National Association of Counties (NACO) Representative;
- w) Psychiatric Health Facility Governing Board;
- x) Retirement Board of the Santa Barbara County Employees Retirement System;
- y) Rural County Representative of California (RCRC); and
- z) Workforce Innovation Opportunity Act Board.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:12 AM - 10:45 AM (33 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Adult and Aging Network - one Chair of the Policy Council and one Co-Chair,

Appointed Supervisor Williams as Chair and Supervisor Hartmann as Co-Chair;

b) Area Agency on Aging (Central Coast Commission for Senior Citizens) - one regular member to Advisory Council,

Appointed Supervisor Lavagnino;

- c) Beach Erosion Authority for Control Operations and Nourishment (BEACON)
- two regular members, two alternate members,

Appointed Supervisor Williams and Supervisor Capps as Regular Members; Appointed Supervisor Hartmann as Alternate Member No. 1 and Supervisor Nelson as Alternate Member No. 2;

d) Behavioral Wellness Commission - one regular member,

Appointed Supervisor Capps;

e) California State Association of Counties (CSAC) Representative – one regular member, one alternate member,

Appointed Supervisor Williams as the Regular Member and Supervisor Nelson as the Alternate Member;

f) CenCal Health - one regular member (no alternate),

Appointed Supervisor Hartmann;

g) Child Care Planning Council - one regular member,

Appointed Supervisor Capps as the Regular Member and Supervisor Nelson as the Alternate Member;

h) CommUnify (formerly Community Action Commission of Santa Barbara County) - one regular member, one alternate member,

Appointed Supervisor Capps as the Regular Member and Supervisor Nelson as the Alternate Member;

i) Community Corrections Partnership (CCP) Representative – one regular member,

Appointed Supervisor Williams;

j) Debt Advisory Committee - one regular member one alternate member,

Appointed Supervisor Lavagnino as the Regular Member and Supervisor Nelson as the Alternate Member;

k) Elected Officials Committee on Regional Homelessness Solutions – two regular members,

Appointed Supervisor Hartmann and Supervisor Nelson as Regular Members;

l) First Five Children and Families Commission of Santa Barbara County – one regular member, one alternate member,

Appointed Supervisor Williams as the Regular Member and Supervisor Capps as the Alternate Member;

m) Golden State Connect Authority (GSCA) – one regular member, one alternate member,

Appointed Supervisor Nelson as the Regular Member and Supervisor Lavagnino as the Alternate Member;

n) Golden State Finance Authority (GSFA) Joint Powers Authority (JPA) – one regular member, one alternate member,

Appointed Supervisor Nelson as the Regular Member and Supervisor Lavagnino as the Alternate Member:

o) Juvenile Justice Coordination Council – Two regular members, one North County and one South County,

Appointed Supervisor Nelson as the North County Regular Member and Supervisor Capps as South County Regular Member;

p) KIDS Network Policy Council - two members to serve as Chair and Vice-Chair,

Appointed Supervisor Hartmann as the Chair and Supervisor Capps as the Vice-Chair:

q) Law Library Board of Trustees - Chair as Ex-Officio Member,

Appointed Supervisor Hartmann;

r) Legislative Program Committee - two regular members,

Appointed Supervisor Williams and Supervisor Hartmann;

s) Library Advisory Committee - one regular member,

Appointed Supervisor Williams;

t) Local Agency Formation Commission (LAFCO) – two regular members and one alternate member,

Appointed Supervisor Hartmann as a Regular Member, term ending March 1, 2023; Appointed Supervisor Williams as a Regular Member, term ending March 1, 2026; and appointed Supervisor Nelson as the Alternate Member, term ending March 1, 2026;

u) Multi-jurisdictional Solid Waste Task Force - two regular members,

Appointed Supervisor Hartmann and Supervisor Capps as Regular Members;

v) National Association of Counties (NACO) Representative – one regular member, one alternate member,

Appointed Supervisor Lavagnino as the Regular Member and Supervisor Williams as the Alternate Member;

w) Psychiatric Health Facility Governing Board – one regular member, one alternate member,

Appointed Supervisor Lavagnino as the Regular Member and Supervisor Capps as the Alternate Member;

x) Retirement Board of the Santa Barbara County Employees Retirement System – one regular member,

Appointed Supervisor Lavagnino on October 4, 2022 to a three-year term ending December 31, 2025;

y) Rural County Representatives of California (RCRC) – one regular member, one alternate member,

Appointed Supervisor Nelson as the Regular Member and Supervisor Lavagnino as the Alternate Member; and

z) Workforce Innovation Opportunity Act Board - one regular member,

Appointed Supervisor Lavagnino.

Ayes:

The motion carried by the following vote:

2) COUNTY EXECUTIVE OFFICE

23-00041

HEARING - Consider recommendations regarding the Thomas Fire and 1/9 Debris Flow Five Year Recovery Update, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file a video presentation and report from staff on the Thomas Fire and 1/9 Debris Flow Five Year Recovery Update; and
- b) Determine that the proposed actions are administrative activities that do not involve commitment to any specific project, and are therefore not a project as defined by State California Environmental Quality Act Guidelines Sections 15378 (b)(5).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:46 - 10:47 (1 MIN.)

A motion was made by Supervisor Nelson, seconded by Supervisor Hartmann, that this matter be continued, as follows: February 7, 2023 in Santa Barbara on the Departmental Agenda.

The motion carried by the following vote:

3) COMMUNITY SERVICES DEPARTMENT

23-00017

HEARING - Consider recommendations regarding the Commission for Women Annual Report, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file the 2021-2022 County of Santa Barbara Commission for Women Annual Report (presentation); and
- b) Determine that the above recommended action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), finding that the action involves government organizational or administrative activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:48 AM - 11:04 AM (16 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Received and filed; and
- b) Approved.

The motion carried by the following vote:

4) <u>COUNTY EXECUTIVE OFFICE</u>

23-00023

HEARING - Consider recommendations regarding an update on the Standalone Information Technology (IT) Department and an amendment to the Salary Resolution, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file Gartner Hybrid IT Model Executive Summary;
- b) Receive and file Implementation Plan to create a standalone IT Department;
- c) Authorize the formation of a stand-alone IT department for incorporation in the Fiscal Year (FY) 2023-2024 County budget;
- d) Approve changes to the Salary Resolution which add three new (3) full-time (3.0 FTE) Program Business Leader positions to the General Services Department, effective January 9, 2023; and
- e) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because they consist of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 11:05 AM - 11:22 AM (17 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) and b) Received and filed;
- c) Authorized;
- d) Approved and adopted; and

RESOLUTION NO. 23-6

e) Approved.

The motion carried by the following vote:

Adjourned at 1:04 PM

Adjourned to

Tuesday, January 24, 2023

Joseph Centeno Betteravia Government Administration Building Board Hearing Room 511 East Lakeside Parkway Santa Maria

Challenges

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

Announcements

The meeting of Tuesday, January 10, 2023 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, January 12, 2023, at 5:00 PM and on Saturday, January 14, 2023, at 10:00 AM on CSBTV Channel 20.

http://www.countyofsb.org