

County of Santa Barbara
BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, February 12, 2019

9:00 AM

**JOSEPH CENTENO BETTERAVIA GOVERNMENT
ADMINISTRATION
BUILDING, BOARD HEARING ROOM**

511 EAST LAKESIDE PARKWAY, SANTA MARIA

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

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

9:00 A.M. Convened to Regular Session

Roll Call

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

Pledge of Allegiance

Approval of Minutes of the February 5, 2019 Meeting

A motion was made by Supervisor Adam, seconded by Supervisor Hart, to Approve the Minutes. The motion carried by the following vote:

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

County Executive Officer's Report

19-00001

No report from the County Executive Officer.

12:00 P.M. Recessed to Closed Session

Closed Session**19-00002**

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

Barbere v. County of Santa Barbara, et al., United States District Court for the Central District of California, case number 2:17-cv-07702-MWF (MRW).

CONFERENCE WITH REAL PROPERTY NEGOTIATORS [Santa Barbara County Board of Supervisors, sitting as the Board Of Directors of the Santa Barbara County Flood Control and Water Conservation District]
(Government Code section 54956.8)

Property: Assessor's Parcel Number 007-120-036, 640 Randall Road, Santa Barbara, CA 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating parties: Ronald J. Daniels and Joanne D. Rosenblatt. Under negotiation: price and terms of payment.

Property: Assessor's Parcel Number 007-120-052, 630 Randall Road, Santa Barbara, CA 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: Montgomery Living Trust 2/7/14. Under negotiation: price and terms of payment.

Property: Assessor's Parcel Number 007-120-054, 620 Randall Road, Santa Barbara, CA 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: BK MacDonald Living Trust 11/18/2009. Under negotiation: price and terms of payment.

Property: Assessor's Parcel Number 007-120-059, 1760 East Valley Road, Santa Barbara, CA 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: GST Trust created under the Flaster Living Trust 10/24/88. Under negotiation: price and terms of payment.

Property: Assessor's Parcel Number 007-120-035, 650 Randall Road, Santa Barbara, CA 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: Anthony C. Nicoletti. Under negotiation: price and terms of payment.

Property: Assessor's Parcel Number 007-120-034, 660 Randall Road, Santa Barbara, CA 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: Andrew & Agnieszka Anthony 2016 Trust. Under negotiation: price and terms of payment.

Property: Assessor's Parcel Number 007-120-033, 670 Randall Road, Santa Barbara, CA 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: Lois Ream Waldref Revocable Trust 11-28-96. Under negotiation: price and terms of payment.

Property: Assessor's Parcel Number 007-120-032, 680 Randall Road, Santa Barbara, CA 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: Risken Rintels Trust 5/12/00. Under negotiation: price and terms of payment.

CONFERENCE WITH LABOR NEGOTIATORS
(Subdivision (a) of Government Code section 54957.6)

Employee organizations: all bargaining units, unrepresented employees, managers, and executives. Agency-designated representatives: County Executive Officer Mona Miyasato and Interim Human Resources Director Maria Elena de Guevara.

PUBLIC EMPLOYEE APPOINTMENT
(Paragraph (1) of subdivision (b) of Government Code section 54957)

Human Resources Director; Director of Planning & Development.

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) AUDITOR-CONTROLLER****19-00131**

Consider recommendations regarding a Contract with Brown Armstrong Accountancy Corporation for County's Annual Financial Audits, as follows:

a) Approve and authorize the Chair to execute the contract with Brown Armstrong Accountancy Corporation (Brown Armstrong) [not a local vendor] in the amount of \$147,000.00 to perform the following audit services, for the Fiscal Year 2018-2019:

- i) The annual financial audit for the County;
- ii) The Single Audit;
- iii) The First 5 Commission's annual financial audit; and
- iv) The annual Treasury financial and compliance audits; and

b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378(b)(4), because they are government fiscal 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 Adam, seconded by Supervisor Hartmann, that this matter be Acted on as follows:

- a) i) through iv) Approved and authorized; Chair to execute; and**
- b) Approved.**

The motion carried by the following vote:

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

A-2) BEHAVIORAL WELLNESS[19-00136](#)

Consider recommendations regarding a Technology Suite Personnel Resolution, Fiscal Year (FY) 2018-2019, as follows:

a) Adopt a Personnel Resolution effective February 25, 2019, as follows:

- i) Add one (1) 1.0 FTE ADMHS Case Worker position;
- ii) Add two (2) 1.0 FTE ADMHS Recovery Assistant positions;
- iii) Add one (1) 1.0 FTE Health Care Program Coordinator position; and
- iv) Add one (1) 1.0 FTE Admin Office Professional I/II position; and

b) Determine that the recommended actions are not a “project” under the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378(b)(4) since the recommended actions are governmental fiscal 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 Adam, seconded by Supervisor Hartmann, that this matter be Acted on as follows:

a) i) through iv) Adopted; and

RESOLUTION NO. 19-39

b) Approved.

The motion carried by the following vote:

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

A-3) COUNTY COUNSEL[19-00134](#)

Consider recommendations regarding an agreement for professional legal services with outside counsel Baker and Hostetler LLP, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute an Agreement for Professional Legal Services between the County of Santa Barbara and the law firm Baker and Hostetler LLP in an amount not to exceed \$100,000.00 without written amendment; and

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

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

a) Approved and authorized; Chair to execute; and

b) Approved.

The motion carried by the following vote:

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

A-4) COUNTY EXECUTIVE OFFICE

19-00133

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

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

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

A-5) PLANNING AND DEVELOPMENT

19-00132

Consider recommendations regarding authorization of an agreement for services with Ecology and Environment, Inc. to complete an Environmental Impact Report and Environmental Impact Statement for the Plains Replacement Pipeline Project located in the Third, Fourth and Fifth Districts, as follows:

a) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with Ecology and Environment, Inc. and partner MRS Environmental (MRS) to complete an Environmental Impact Report and Environmental Impact Statement for Plains' Replacement Pipeline Project (Project) for the period of February 12, 2019 through June 30, 2021 for a base amount of \$999,927.00 and a total contract amount not to exceed \$1,149,916.00;

b) Approve and authorize the Director of Planning and Development, or designee, to approve up to a 15 percent contingency cost not to exceed \$149,989.00 for services being performed under the Agreement for a total contract amount not to exceed \$1,149,916.00;

c) Approve and authorize the Director of Planning and Development, or designee, to make immaterial changes in accordance with Section 35 of the Agreement; and

d) Determine that the above actions are not a “project” and are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5), because they are organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment.

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

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

The motion carried by the following vote:

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

A-6) PUBLIC HEALTH

19-00135

Consider recommendations regarding an eighth Amendment to the Medi-Cal Physician Services Provider Agreement with CenCal Health, as follows:

- a) Approve, ratify, and authorize the Chair to execute an Eighth Amendment to the Physician Services Provider Agreement, Federally Qualified Health Center with CenCal Health to extend the current terms and conditions of the Agreement for a period of three (3) years through December 31, 2021; and
- b) Determine that this action is not a “Project” with the meaning of the California Environmental Quality Act (CEQA) and is exempt per CEQA Guideline section 15378(b)(5), since the recommended action is an organizational or administrative activity of the government that will not result in direct or indirect physical change in the environment.

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

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

The motion carried by the following vote:

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

A-7) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY

19-00129

Consider recommendations regarding an agreement for Services of Independent Contractor with GSI Water Solutions, Inc., Third and Fifth Districts, as follows:

Acting as the Board of Directors, Water Agency:

a) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor with GSI Water Solutions, Inc. (a local vendor) to provide consulting services for a hydrogeological study of the Santa Ynez River Valley Groundwater Basin Eastern Management Area for the period of February 12, 2019 through June 30, 2022 in an amount not to exceed \$968,136.00;

b) Approve a 10% contingency with GSI Water Solutions, Inc. in the amount of \$96,813.00 for additional work that may be needed to complete the hydrogeological study; and

c) Determine that the proposed actions are not a project under the California Environmental Quality Act, pursuant to Guidelines Section 15378(b)(5), organization or administrative activities that will not result in a direct or indirect physical change in the environment.

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

Acting as the Board of Directors, Water Agency:

a) Approved and authorized; Chair to execute; and

b) and c) Approved.

The motion carried by the following vote:

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

A-8) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT

19-00130

Consider recommendations regarding a professional services agreement with MNS Engineers, Incorporated for construction project management services of Laguna County Sanitation District Phase 1 Plant Upgrade, Third and Fourth Districts, as follows:

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

- a) Approve and authorize the Chair to execute a professional services agreement with MNS Engineers, Incorporated in the amount of \$2,875,377.00 for construction project management services related to Laguna County Sanitation District wastewater reclamation plant upgrades for the period February 12, 2019 through December 31, 2023;
- b) Authorize the Public Works Director, or designee, to approve and execute amendments up to an additional contingency amount of \$150,000.00 during the term of the agreement; and
- c) Find that the proposed action does not constitute a “Project” within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5), in that it is a governmental administrative activity that will not result in direct or indirect changes in the environment.

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

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

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

The motion carried by the following vote:

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

Board of Supervisors

A-9) SUPERVISOR WILLIAMS [19-00137](#)

Approve the appointment of R.W. “Hap” Ziegler to the Civil Service Commission, term ending May 31, 2022, First District.

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

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

A-10) SUPERVISOR HARTMANN [19-00128](#)

Approve the reappointment of Clare MacDonald to the Assessment Appeals Board No. 1, term ending August 31, 2021, Third District.

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

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

Honorary Resolution

A-11) SUPERVISOR WILLIAMS [19-00138](#)

Adopt a Resolution of Commendation honoring Richard Solomon upon his retirement from the Santa Barbara County Civil Service Commission after representing the First District for 25 years.

A motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be Adopted.

RESOLUTION NO. 19-40

The motion carried by the following vote:

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

Public Comment Period

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

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

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

Re: Storm and Debris Flow Sediment Disposal - Ben Pitterle addressed the Board

Re: Conservatorship/Senior Issues/Evictions - Dorothy Dent addressed the Board

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE [19-00126](#)

HEARING - Receive and file the Fiscal Year 2018-2019 Budget and Financial Status Report as of December 31, 2018, showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors. (EST. TIME: 45 MIN.)

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 9:17 AM - 9:35 AM (18 MIN.)

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Hartmann, seconded by Supervisor Hart, that this matter be received and filed. The motion carried by the following vote:

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

2) GENERAL SERVICES [19-00102](#)

HEARING - Consider recommendations regarding a Local Vendor Preference Policy Update, as follows: (EST. TIME: 30 MIN.)

- a) Approve the recommended update to the Local Vendor Preference policy that authorizes the Chief Procurement Officer (Purchasing Manager) to allow the lowest bidding local vendor that bid within 6% of the lowest, non-local bidder the opportunity to match the lowest bid; and
- b) Determine that the above recommended actions do not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), finding that the actions are the creation of a governmental funding mechanism or other government fiscal activity, 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: POLICY

HEARING TIME: 9:37 AM - 10:15 AM (38 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) **Approved.** Directed staff to return in six months with a comparative analysis to the old methodology including but not limited to the local sales tax benefit and the associated multiplier effect of those dollars recirculating in the local economy as compared to the additional vendors the County could expect utilizing outreach without the program benefits. Further directed staff to provide information related to including services within the scope of the program.

b) **Approved.**

The motion carried by the following vote:

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

Noes: 2 - Supervisor Williams, and Supervisor Adam

3) COMMUNITY SERVICES

[19-00127](#)

HEARING - Consider recommendations regarding approval of Action Plan Substantial Amendments and a \$1,400,000.00 loan, consisting of \$1,114,988.00 federal HOME funds and \$285,012.00 Inclusionary Housing Ordinance (IHO) In-Lieu funds, to Sierra Madre Cottages, L.P. for Sierra Madre Cottages in Santa Maria, Fifth District, as follows: (EST. TIME: 30 MIN.)

a) Hear and consider public comments relating to Substantial Amendments to the Fiscal Year (FY) 2017-2018 and FY 2018-2019 Action Plans that describe the use of federal HOME Investment Partnerships (HOME) funds for Sierra Madre Cottages affordable housing project in the City of Santa Maria (Project) that were submitted during the 30-day public comment period, which began on January 12, 2019 and concludes at the end of the February 12, 2019 public hearing for the Project;

b) Approve the Substantial Amendments to the FY 2017-2018 and FY 2018-2019 Action Plans, which adds the use of One Million One Hundred Fourteen Thousand Nine Hundred and Eighty-Eight Dollars (\$1,114,988.00) in HOME Funds, for the Project and direct staff to submit the Substantial Amendments to HUD;

c) Approve a loan of One Million One Hundred Fourteen Thousand Nine Hundred and Eighty-Eight Dollars (\$1,114,988.00) in HOME Funds and Two Hundred Eighty Five Thousand and Twelve Dollars (\$285,012.00) in Inclusionary Housing Ordinance (IHO) In-Lieu Funds for a total of One Million Four Hundred Thousand Four Hundred Dollars (\$1,400,000.00) to Sierra Madre Cottages, L.P. for development of the Project and direct staff to finalize the Loan Documents and return to the Board for approval and execution of the Loan Documents;

d) Consider the environmental effects of the project as shown in the Mitigated Negative Declaration adopted by the City of Santa Maria for the Project on March 17, 2015 and find that pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162, no substantial changes are proposed, and there are no substantial changes in circumstances or new information of substantial importance regarding significant impacts or feasibility of mitigation measures and alternatives, and therefore approval of the Recommended Actions are within the scope of the Mitigated Negative Declaration adopted by the City of Santa Maria for the Project on March 17, 2015.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:17 AM - 10:30 AM (13 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Through d) Approved.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Adam

4) PLANNING AND DEVELOPMENT

[19-00125](#)

HEARING - Consider recommendations regarding a briefing on Oil and Gas Development in Santa Barbara County and Compliance Status of Oil and Gas Operations in Santa Barbara County, as follows: (EST. TIME: 45 MIN.)

a) Receive and file a comprehensive report on the Oil and Gas Development and compliance status of offshore and onshore oil and gas operations in Santa Barbara County; and

b) Determine that the report does not constitute a project under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15378(b) (5).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 10:42 AM - 11:59 AM (1 HR. 17 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) Received and filed; and

b) Approved.

The motion carried by the following vote:

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

Adjourned at 11:59 AM

Adjourned to

Tuesday, February 26, 2019

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, February 12, 2019 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 14, 2019, at 5:00 PM and on Saturday, February 16, 2019, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>