

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, November 19, 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 October 30, 2019 Special Meeting

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

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

Abstained: 1 - Supervisor Adam

Approval of Minutes of the November 5, 2019 Meeting

A motion was made by Supervisor Hartmann, seconded by Supervisor Adam, 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

County Executive Officer's Report**19-00001**

Mona Miyasato, the County Executive Officer, announced the following:

Santa Barbara County was honored to receive the Organizational Excellence Award from the Municipal Managers Association of Southern California. The award is presented to a public agency whose accomplishments have significantly contributed to the advancement of local government services and improved the quality of service provided to the community. The award recognizes the County's Renew 2022 multi-year initiative of organizational transformation to ensure fiscal and operational efficiency that began in 2017.

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)

County of Santa Barbara's Administrative Appeal of California Department of Health Care Services' "Network Adequacy Findings Report and Notice of Noncompliance of the County of Santa Barbara's FY 2019/20 Network Certification," DHCS case number unassigned.

In re: PE Capital Endowment Established By The Franchise Agreement Between The County Of Santa Barbara, California And Coxcom, Inc., Santa Barbara County Superior Court, case number 19pr00156.

Santa Ynez River Water Conservation District, Improvement District No. 1, a public entity, v. Joe Holland, an individual in his capacity as Santa Barbara County Clerk-Recorder-Assessor-Registrar of Voters, Santa Barbara County Superior Court, case number 18cv05437.

[Santa Barbara County Board of Supervisors, sitting as the Board of Supervisors and as the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District]
Southern California Fire Cases, Judicial Council Coordination Proceeding case number 4965, Los Angeles County Superior Court, case number BC699216.

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
(Paragraph (4) of subdivision (d) of Government Code section 54956.9)

Deciding whether to initiate civil litigation: one case.

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

Employee organization: Service Employees International Union, Local 620. Agency-designated representatives: County Executive Officer Mona Miyasato and Human Resources Director Maria Elena de Guevara.

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 LAVAGNINO [19-00985](#)

Adopt a Resolution of Commendation honoring Terry Lopez upon her retirement from the District Attorney’s Office after 40 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 19-288

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

A-2) SUPERVISOR WILLIAMS [19-00980](#)

Adopt a Resolution recognizing November 2019 as National Family Caregivers Month in Santa Barbara County.

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

RESOLUTION NO. 19-289

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

A-3) SUPERVISOR WILLIAMS

[19-00993](#)

Adopt a Resolution honoring the memory of lives lost and injured to gun violence.

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

RESOLUTION NO. 19-290

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

A-4) SUPERVISOR HART, SUPERVISOR HARTMANN

[19-00981](#)

Adopt a Resolution recognizing November 2019 as Court Adoption and Permanency Month in Santa Barbara County.

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

RESOLUTION NO. 19-291

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

A-5) SUPERVISOR ADAM

[19-00995](#)

Adopt a Resolution of Commendation honoring Rhonda Murphy as the Veteran of the Month in Santa Barbara County.

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

RESOLUTION NO. 19-292

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

A-6) SUPERVISOR LAVAGNINO

19-00994

Adopt a Resolution honoring the Santa Barbara County Employees who volunteer at the Veterans Stand Down.

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

RESOLUTION NO. 19-293

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

Honorary Resolutions

A-7) SUPERVISOR HARTMANN

19-00982

Adopt a Resolution of Commendation honoring Michael L. Struven upon his retirement from the Auditor Controller’s Office after over 30 years of dedicated and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 19-294

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

Administrative Items**A-8) AGRICULTURAL COMMISSIONER [19-00957](#)**

Consider recommendations regarding Bee Safe Program Agreement No. 19-0790-000-SG with the California Department of Food and Agriculture, as follows:

- a) Approve, ratify and authorize the Chair to execute an agreement with the California Department of Food and Agriculture (CDFA) for support and services of compliance inspections related to the Bee Safe Program in the County of Santa Barbara for the period of July 1, 2019 through June 30, 2020 in the amount of \$50,000.00; and
- b) Determine that the above action involves government funding mechanisms and/or fiscal activities and is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4).

A motion was made by Supervisor Williams, 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-9) BEHAVIORAL WELLNESS [19-00959](#)

Consider recommendations regarding the State Department of Health Care Services (DHCS) Mental Health Performance Contract, Fiscal Year (FY) 2018-2021, as follows:

- a) Approve, ratify and authorize the Director of Behavioral Wellness to execute a \$0 Performance Contract and Contractor Certification contained therein with the California State DHCS for receipt of funds from the Mental Health Services Act, Projects for Assistance in Transition from Homelessness, the Community Mental Health Services Grant, and realignment and for compliance with California state laws for the period of July 1, 2018 through June 30, 2021; and
- b) Determine that the above actions are government fiscal activities that will not result in direct or indirect physical changes in the environment, pursuant to section 15378(b)(4) of the California Environmental Quality Act (CEQA) guidelines.

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

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

The motion carried by the following vote:

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

A-10) COUNTY EXECUTIVE OFFICE

19-00996

Consider recommendations regarding Fiscal Year (FY) 2019 Emergency Management Performance Grant (EMPG) Authorization, as follows:

- a) Adopt a Resolution authorizing the County Executive Officer (CEO), the Director of the Office of Emergency Management (OEM) or the Business Manager, CEO to apply and enter into a contract to accept the FY 2019 EMPG with the California Office of Emergency Services to provide grant funding for emergency management activities in the Santa Barbara Operational Area; and
- b) Determine that the proposed action is related to the creation of a government funding mechanism and other fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline section 15378 (b) (4).

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

- a) Adopted; and**

RESOLUTION NO. 19-295

- b) Approved.**

The motion carried by the following vote:

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

A-11) COUNTY EXECUTIVE OFFICE[19-00966](#)

Approve Budget Revision Request Nos. 0006448; 0006681; 0006687; 0006690; 0006691 (4/5 Vote Required), and Budget Revision Request No. 0006696. (Majority 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 Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-12) COUNTY EXECUTIVE OFFICE[19-00997](#)

Consider recommendations regarding Fiscal Year (FY) 2019 Homeland Security Grant Program (HSGP), as follows:

- a) Adopt a Resolution authorizing the County Executive Officer (CEO), the Director of Office of Emergency Management (OEM) or the Business Manager, CEO to apply and enter into a contract to accept the FY2019 HSGP with the California Office of Emergency Services behalf of the Santa Barbara County Operational Area;
- b) Authorize OEM to execute the subrecipient agreements for 2019 Homeland Security Grant Program;
- c) Approve subrecipient template; and
- d) Determine that the proposed action is related to the creation of a government funding mechanism and other fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline section 15378 (b) (4).

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

a) Adopted;

RESOLUTION NO. 19-296

b) Authorized; and

c) and d) Approved.

The motion carried by the following vote:

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

A-13) DISTRICT ATTORNEY

19-00987

Consider recommendations regarding the renewal of an agreement with the California Department of Insurance for the Life and Annuity Consumer Protection Program Grant, Fiscal Year 2019-2020, as follows:

a) Adopt a Resolution approving, ratifying, and authorizing the District Attorney to execute a Grant Award Agreement with the California Department of Insurance for the Life and Annuity Consumer Protection Program, for the award period of July 1, 2019 through June 30, 2020 in the amount of \$75,000.00;

b) Approve and authorize the District Attorney to execute any future amendments or extensions thereof through December 31, 2020, not to exceed \$35,000.00, with the concurrence of County Counsel and Auditor-Controller; and

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

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

a) Adopted;

RESOLUTION NO. 19-297

b) Approved and authorized; and

c) Approved.

The motion carried by the following vote:

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

A-14) DISTRICT ATTORNEY[19-00988](#)

Consider recommendations regarding an agreement with the California Department of Insurance for an Automobile Insurance Fraud Program in the District Attorney's Office, Fiscal Year 2019-2020, as follows:

a) Adopt a Resolution approving, ratifying, and authorizing the District Attorney to execute a Grant Award Agreement with the California Department of Insurance for an Automobile Insurance Fraud Program to provide services for the period of July 1, 2019 through June 30, 2020 in the amount of \$100,150.00, plus carryover from Fiscal Year 2018-2019 in the amount of \$65,722.00, for total funding in the amount of \$165,872.00;

b) Approve and authorize the District Attorney to execute any future amendments or extensions thereof through December 31, 2020, not to exceed \$75,000.00, with the concurrence of County Counsel and Auditor-Controller; and

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

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

a) Adopted;

RESOLUTION NO. 19-298

b) Approved and authorized; and

c) Approved.

The motion carried by the following vote:

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

A-15) DISTRICT ATTORNEY[19-00989](#)

Consider recommendations regarding the California Governor's Office of Emergency Services (Cal OES) Elder and Dependent Adult Advocacy and Outreach (XE) Program Grant Award, as follows:

a) Adopt a Board Resolution regarding the Cal OES Elder and Dependent Adult Advocacy and Outreach (XE) Program grant award for the period of July 1, 2016 through December 31, 2019 for a total award amount of \$391,556.00, as follows:

i) Approve, ratify, and authorize the District Attorney to execute a Grant Subaward Agreement with Cal OES accepting the Elder and Dependent Adult Advocacy and Outreach (XE) Program grant award for the period of July 1, 2016 through December 31, 2019 in the amount of \$223,746.00; and

ii) Approve, ratify and authorize the District Attorney to execute Amendment No. 1 to the Grant Subaward Agreement with Cal OES for the Elder and Dependent Adult Advocacy and Outreach (XE) Program for the period of July 1, 2016 through December 31, 2019 in the amount of \$167,810.00, for a new total award amount of \$391,556.00; and

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

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

a) i) and ii) Adopted; and

RESOLUTION NO. 19-299

b) Approved.

The motion carried by the following vote:

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

A-16) DISTRICT ATTORNEY

19-00991

Consider recommendations regarding the California Governor's Office of Emergency Services (Cal OES) Human Trafficking Advocacy Program Grant Award, Fiscal Year 2018-2019, as follows:

a) Adopt the Board Resolution approving, ratifying, and authorizing the District Attorney to execute a Grant Agreement with the Cal OES accepting the Human Trafficking Advocacy Program grant award for the award period of January 1, 2019 through December 31, 2019, in the amount of \$150,000.00; and

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

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

a) Adopted; and

RESOLUTION NO. 19-300

b) Approved.

The motion carried by the following vote:

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

A-17) DISTRICT ATTORNEY

19-00992

Consider recommendations regarding an Agreement with the California Department of Insurance for a Workers' Compensation Insurance Fraud Program in the District Attorney's Office, Fiscal Year 2019-2020, as follows:

a) Adopt a Resolution approving, ratifying, and authorizing the District Attorney to execute a Grant Award Agreement with the California Department of Insurance for a Workers' Compensation Insurance Fraud Program to provide services for the period of July 1, 2019 through June 30, 2020 in the amount of \$287,707.00, plus carryover from Fiscal Year 2018-2019 in the amount of \$123,474.00, for total funding of \$411,181.00;

b) Approve and authorize the District Attorney to execute any future amendments or extensions thereof through December 31, 2020, not to exceed \$100,000.00, with the concurrence of County Counsel and Auditor-Contoller; and

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

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

a) Adopted;

RESOLUTION NO. 19-301

b) Approved and authorized; and

c) Approved.

The motion carried by the following vote:

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

A-18) DISTRICT ATTORNEY

[19-00978](#)

Consider recommendations regarding the United States Department of Justice (DOJ) acceptance of Direct Services to Support Victims of Human Trafficking Cooperative Agreement with the District Attorney's Office, as follows: (4/5 Vote Required)

- a) Approve, ratify, and authorize the District Attorney or designee to execute a Cooperative Agreement with the United States DOJ, accepting the Direct Services to Support Victims of Human Trafficking grant award totaling \$675,000.00 for the period of October 1, 2019 to September 30, 2022;
- b) Approve and authorize the District Attorney to execute any amendments or extensions thereof through September 30, 2023, not to exceed \$200,000.00, with the concurrence of County Counsel and Auditor-Controller;
- c) Approve Budget Revision Request No. 0006688 to increase expenditures in Fiscal Year (FY) 2019-2020 in the amount of \$66,667.00 in the District Attorney's Office General Fund for Salaries and Benefits (\$45,336.00) and Services and Supplies (\$21,331.00), funded by unanticipated revenue from Intergovernmental Revenue-Federal; and
- d) Determine that the above action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), because it consists of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

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

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

The motion carried by the following vote:

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

A-19) FIRE

19-00986

Consider recommendations regarding the acceptance of a Non-Cash Donation Greater than \$10,000.00 for the Fire Department Urban Search and Rescue Canine Program Donation, as follows: (4/5 Vote Required)

- a) Authorize the Fire Department to accept a non-cash donation of \$61,500.00, from Santa Barbara Firefighters Alliance, a non-profit organization;
- b) Approve Budget Revision Request No. 0006662; and
- c) 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.

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 Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-20) PLANNING AND DEVELOPMENT19-00971

Consider recommendations regarding the Coastal Resource Enhancement Fund (CREF) Grant Contracts with the NatureTrack, Lompoc Unified School District, Santa Barbara Channelkeeper, and Santa Maria Valley Discovery Museum, as follows:

- a) Approve and authorize the Chair to execute the CREF contract with the NatureTrack, in the amount of \$13,400.00, to help purchase a vehicle for NatureTrack's outdoor fieldtrips for K-12 students, for the period of November 19, 2019 to February 1, 2020, All Districts;
- b) Approve and authorize the Chair to execute the CREF contract with Lompoc Unified School District, in the amount of \$100,000.00, to fabricate and install an Interactive Tidepool exhibit for its Cabrillo High School Aquarium, for the period of November 19, 2019 to July 1, 2020, Third District;
- c) Approve and authorize the Chair to execute the attached CREF contract with Santa Barbara Channelkeeper, in the amount of \$4,000.00, to prepare supplemental educational curriculum for its Seafari Program, for the period of November 19, 2019 to February 15, 2021, First, Second and Third Districts;
- d) Approve and authorize the Chair to execute the CREF contract with Santa Maria Valley Discovery Museum, in the amount of \$25,000.00, to fabricate and install a Coastal Pier of the Central Coast exhibit, for the period of November 19, 2019 to June 1, 2020, Fifth District;
- e) Approve and authorize the Director of Planning and Development, or designee, to:
 - i) Extend performance in accordance with Section 3 of the four contracts for up to and not to exceed a period of one year for good cause;
 - ii) To approve project changes in accordance with Section 5 of the four contracts, including changes to project descriptions, reduction in the overall project budgets or change in budget items of 10 percent or more; and
 - iii) To terminate the contracts in accordance with Section 4 and Section 15 of the three contracts and Section 4 and Section 14 of one contract for failure of Grantees to provide matching funds/in-kind services; and
- f) Determine that the allocations of the CREF grants are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the State Guidelines for the implementation of CEQA.

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

- a) through d) Approved and authorized; Chair to execute;**
- e) i) through iii) Approved and authorized; and**
- f) Approved.**

The motion carried by the following vote:

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

A-21) PROBATION

19-00962

Consider recommendations regarding a position Resolution and Budget Revision for the Pretrial Program Pilot grant, as follows: (4/5 Vote Required)

- a) Adopt a Resolution to allocate 4.0 FTE Pretrial Services Specialists and 2.0 FTE Administrative Office Professional I/II legal position to the Probation Department;
- b) Approve Budget Revision Request No. 0006677 recognizing \$608,162.00 in State Pretrial Pilot Program grant funds and increasing appropriations by \$608,162.00; and
- c) Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project which may result in a potentially significant 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 Williams, seconded by Supervisor Hartmann, that this matter be acted on as follows:

- a) Adopted; and**
- RESOLUTION NO. 19-302**
- 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-22) PUBLIC HEALTH[19-00972](#)

Consider recommendations regarding a Fourth Amendment to the agreement for Services with American Medical Response West, as follows:

- a) Receive and file American Medical Response West's petition for an ambulance rate increase which has been reviewed by the County Auditor-Controller's Office and by the Public Health Department, acting in its capacity as the Local Emergency Medical Services Agency, to be implemented via the Fourth Amendment as recommended in item "b" below;
- b) Approve and authorize the Chair to execute a Fourth Amendment to the Professional Services Agreement, BC-05-168, with American Medical Response West to increase ambulance rates, to implement several emergency medical services system improvement initiatives, and to extend the term 3 years through December 31, 2022;
- c) Approve and authorize the Director of the Emergency Medical Services Agency to approve any rate adjustment up to five percent (5%) in accordance with Section 10.4.B.1 upon concurrence of the County Auditor-Controller and until December 31, 2022; and
- d) Determine that the above recommended actions are not a "Project" within the meaning of the California Environmental Quality Act (CEQA) and are exempt per CEQA Guideline 15378(b)(4) because it is creation of a governmental 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 Hartmann, seconded by Supervisor Adam, that this matter be acted on as follows:

- a) Received and filed;**
- b) Approved and authorized; Chair to execute;**
- 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-23) PUBLIC HEALTH19-00969

Consider recommendations regarding California Healthy Kids Data Use Agreement for Health Officer, as follows:

- a) Approve and authorize the Public Health Department Director, or designee, to execute the California Department of Education (CDE) and Cal-School Climate Health and Learning Application Agreement and Pledge of Confidentiality to receive data from WestEd/CDE for California Healthy Kids (CHKS) for the years 2010 through 2018 for the use by the Epidemiology Unit to evaluate local youth health issues through analysis of self-reported data in Santa Barbara County with an initial cost not exceed \$6,500.00;
- b) Approve and authorize the Public Health Department Director, or designee, to request additional data sets and to execute additional data use agreements and required documentation through December 31, 2025 for the same purpose with a \$1,500.00 cost assessed every other year upon concurrence by County Counsel and the Auditor-Controller; and
- c) Determine that the activity is not a “Project” subject to California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(5), since the activity is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment.

A motion was made by Supervisor 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 Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-24) PUBLIC HEALTH19-00973

Consider recommendations regarding Health Resources and Services Administration Health Center Integrated Behavioral Health Services (IBHS) Funding, as follows: (4/5 Vote Required)

- a) Approve, ratify, and authorize the Public Health Department Director to accept and receive supplemental funding to the Health Resources and Services Administration Grant Award H80CS00046-18-06 dated August 1, 2019 for integrated behavioral health services with an additional amount of \$167,000.00 for the duration of the period through February 28, 2021;
- b) Approve Budget Revision Request No. 0006678 to establish appropriations for \$83,500.00 of unanticipated revenue from the Federal government for Health Resources and Services Administration supplemental funding and increasing Salaries and Benefits and Services and Supplies for Fiscal Year (FY) 2019-2020 in the County's financial system;
- c) Authorize the Public Health Department to fund one 1.0 FTE currently unfunded, vacant position in the department with the allocation from the supplemental funding; and
- d) Determine that the recommended actions are not a "Project" with the meaning of the California Environmental Quality Act (CEQA) and is exempt per CEQA Guideline section 15378(b)(5), since the recommended actions are organizational or administrative activities of the government that will not result in direct or indirect physical change in the environment.

A 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;**
- c) 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-25) PUBLIC WORKS19-00958

Consider recommendations regarding an annual Public Works Director's Report and Resolution to update the Orcutt Transportation Improvement Plan, Third and Fourth Districts, as follows:

- a) Receive and file a Public Works Director's Report for the Orcutt Transportation Improvement Plan;
- b) Review and approve the estimated costs of the transportation facilities described in the Report, the continued need for these facilities, and the reasonable relationship between the need and the impacts of development for which the fees are charged;
- c) Approve and adopt a Resolution updating the Orcutt Transportation Improvement Plan and finding a reasonable relationship between the need for the public transportation facilities and a continued need for the facilities identified in the Orcutt Community Transportation Improvement Plan; and
- d) Determine that the proposed action is not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) because it consists of continuing administrative and other fiscal activities that do not involve commitment to any specific project, and are therefore not a project as defined by State CEQA Guidelines.

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

- a) Received and filed;
- b) Reviewed and approved;
- c) Approved and adopted; and

RESOLUTION NO. 19-303

- d) Approved.

The motion carried by the following vote:

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

A-26) PUBLIC WORKS

19-00960

Consider recommendations regarding the State of California 2018-2019 Exchange and State Match Program, Agreement for the Exchange of Federal Highway Dollars, as follows:

- a) Approve, ratify and authorize the Chair to execute the agreement with the State of California, Department of Transportation, for the exchange of Federal Highway dollars for Non-Federal State Highway Account dollars, for Fiscal Year (FY) 2018-2019 apportionments in the amount of \$558,115.00;
- b) Approve and authorize the Director of Public Works or designee to apportion these Regional Surface Transportation Program funds to the City of Buellton, the City of Guadalupe and the City of Solvang for FY 2018-2019, in the amounts established under Section 182.6(d)(1) of the Streets and Highways Code and by Santa Barbara County Association of Governments guidelines; 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)(4) (continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy and procedure making).

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

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

The motion carried by the following vote:

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

A-27) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT 19-00968

Consider recommendations regarding Hazard Mitigation Grant Program Application Approval, First District, as follows:

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

a) Approve and authorize the Public Works Director or designee to:

i) Sign the Local Match Fund Commitment Letter for the Federal Emergency Management Agency's Hazard Mitigation Grant Program No. DR-4431 for the Cold Springs Debris Basin Expansion Project in the Federal Share requested amount of \$1,503,000.00;

ii) Sign the Local Match Fund Commitment Letter for the Federal Emergency Management Agency's Hazard Mitigation Grant Program No. DR-4431 for the Buena Vista Creek Debris Basin Project in the Federal Share requested amount of \$2,998,624.00;

iii) If awarded, enter into a grant agreement for the Cold Springs Debris Basin Expansion Project and all subsequent amendments to the grant agreement in an amount not to exceed \$2,004,220.00, for a term not to exceed thirty-six (36) months, subject to the review and consent of County Counsel, Risk Management, and the Auditor-Controller;

iv) If awarded, enter into a grant agreement for the Buena Vista Creek Debris Basin Project and all subsequent amendments to the grant agreement in an amount not to exceed \$3,998,171.00, for a term not to exceed thirty-six (36) months, subject to the review and consent of County Counsel, Risk Management, and the Auditor-Controller; and

v) Make any certifications and assurances that may be required by the grant agreements;

b) Direct District staff, in the event that the grants are awarded, to return to the Board of Directors to establish required budget appropriations; and

c) Find that the proposed actions are organizational or administrative activities related to the creation of a government funding mechanism which will not result in a direct or indirect physical change in the environment and does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and are therefore not projects under the California Environmental Quality Act pursuant to Guideline Section 15378 (b)(4) and (b) (5).

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) i) through v) Approved and authorized;

b) Directed; and

c) Approved.

The motion carried by the following vote:

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

A-28) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [19-00967](#)

Consider recommendations regarding Maria Ygnacio Creek Main Branch and East Branch Debris Basin Modification Project, and Maria Ygnacio Creek Main Branch Future Post-Fire Mitigation Debris Rack Project, Second District, as follows:

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

a) Approve and authorize the Chair to execute a Statement of Final Quantities for work performed and materials supplied for the Maria Ygnacio Creek Main Branch and East Branch Debris Basin Modification Project by the contractor Union Engineering Company (a tri-county vendor), in the amount of \$687,449.76;

b) Approve the plans for the Maria Ygnacio Creek Main Branch Future Post-Fire Mitigation Debris Rack; and

c) Find that pursuant to the California Environmental Quality Act Guidelines section 15162, no substantial changes are proposed, there are no substantial changes in circumstances and no new information of substantial importance has come to light regarding environmental effects of the project or feasibility of mitigation measures and, therefore this action is within the scope of the project covered by the 2017 Updated Debris Basin Maintenance and Removal Plan approved and adopted by the Board on June 6, 2017, which is within the scope of the project covered by the Program Environmental Impact Report for the Updated Routine Maintenance Program (01-EIR-01) approved in 2001 and no new environmental document is required.

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) 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-29) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY [19-00974](#)
SANITATION DISTRICT**

Consider recommendations regarding a Grazing Lease Agreement with K2 Cattle Company, LLC, 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 lease agreement with K2 Cattle Company, LLC to graze cattle on Laguna County Sanitation District property; and
- b) Find that the proposed action does not constitute a “Project” within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5), in that it is a 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 Hart, that this matter be acted on as follows:

Withdrawn from the agenda. Directed staff to initiate outreach efforts in order to explore local vendor options and to return to the Board as appropriate.

The motion carried by the following vote:

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

A-30) SHERIFF[19-00963](#)

Consider recommendations regarding a Resolution for the Office of the Sheriff's Department regarding Electronic Retention of Custody and Medical Records, as follows:

- a) Adopt a Resolution authorizing the electronic reproduction and retention of the Office of the Sheriff's custody and medical records and the destruction of the paper files pursuant to California Government Code sections 26201, 26205, 26205.1, and 26206.7; and
- b) Find that the proposed Resolution is not a "project" under California Environmental Quality Act (CEQA) Guideline 15378(b), in that it does not involve a commitment to any specific project which may result in a potentially significant impact to the environment.

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

- a) **Adopted; and**

RESOLUTION NO. 19-304

- b) **Approved.**

The motion carried by the following vote:

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

A-31) SHERIFF[19-00983](#)

Consider recommendations regarding a donation of 2019 TPD Command Post Trailer by ONE805 to the Sheriff's Office, as follows: (4/5 Vote Required)

- a) Accept the donation of a brand new 2019 TPD Command Post Trailer from the ONE805 organization with the total value of the donation of \$226,275.00;
- b) Approve Budget Revision Request No. 0006685 recognizing the donation; and
- c) Determine that the above actions are not a project pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4), finding that the action is not a project as it is the creation of a government funding mechanism or other government fiscal activity, which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

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

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

The motion carried by the following vote:

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

A-32) SOCIAL SERVICES

19-00955

Consider recommendations regarding a Second Amendment to the Agreement with Santa Barbara Family Care Center dba Children's Resource and Referral of Santa Barbara County for Emergency Child Care Bridge Program for Foster Children, as follows:

- a) Approve, ratify and authorize the Chair to execute the Second Amendment to the Agreement with Santa Barbara Family Care Center dba Children's Resource and Referral of Santa Barbara County (local vendor) to provide Emergency Child Care Bridge Program for Foster Children for the increased contract amount not to exceed \$304,311.00 for the period of July 1, 2019 through June 30, 2020; and
- b) Determine that the execution of the Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines Section 15378 (b) (5), finding that the execution of the Amendment is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activities are not subject to CEQA.

A motion was made by Supervisor Williams, 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-33) SOCIAL SERVICES[19-00965](#)

Consider recommendations regarding a Third Amendment to the Agreement with Family Care Network, Inc. for Independent Living Program, as follows:

- a) Approve, ratify and authorize the Chair to execute the Third Amendment to the Agreement with Family Care Network, Inc. (local vendor) to provide an Independent Living Program for Child Welfare Services/Probation youth for the increased contract amount not to exceed \$230,000.00 for the period of July 1, 2019 through June 30, 2020; and
- b) 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, 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-34) SOCIAL SERVICES, BOARD OF DIRECTORS, IN-HOME SUPPORTIVE SERVICES PUBLIC AUTHORITY[19-00964](#)

Consider recommendations regarding a Memorandum of Understanding Between the In-Home Supportive Services Public Authority and United Domestic Workers of America, as follows:

Acting as the Board of Directors, In-Home Supportive Services Public Authority:

- a) Approve and authorize the Chair of the Public Authority to execute the negotiated Memorandum of Understanding between the In-Home Supportive Services Public Authority and the United Domestic Workers of America AFSCME Local 3930, AFL-CIO, for the period of February 1, 2020 through November 30, 2021; and
- b) Determine pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) that the above action is a government fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and therefore is not a project subject to environmental review.

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, In-Home Supportive Services Public Authority:

- 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-35) TREASURER-TAX COLLECTOR [19-00956](#)

Accept for filing the Fiscal Year 2019-2020 First Quarter (July through September 2019) report on the Treasurer’s Investment Pool, pursuant to Government Code section 53646(b).

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

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

Board of Supervisors

A-36) SUPERVISOR WILLIAMS [19-00984](#)

Approve the appointment of Richard Nordlund to the Housing Authority Board of Commissioners, term ending January 1, 2021, First District.

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 Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Hearing RequestsA-37) PLANNING AND DEVELOPMENT[19-00961](#)

Set a hearing to consider the recommendations of the County and Montecito Planning Commissions to adopt three Ordinances, Case Nos. 19ORD-00000-00003, 19ORD-00000-00004, and 19ORD-00000-00005, which would amend, respectively, the County Land Use and Development Code (County LUDC), the Montecito Land Use and Development Code (Montecito LUDC), and the Coastal Zoning Ordinance (Article II), to implement a series of amendments that revise procedures and regulations for commercial telecommunications facilities and recordable documents to implement federal and state regulations; delete repealed and expired regulations; delete uncertified regulations from the County LUDC and Montecito LUDC that were intended to apply solely within the Coastal Zone; and make other minor clarifications, corrections, and revisions. In addition, consider recommendations regarding submittal of the Article II amendments to the California Coastal Commission (Coastal Commission) for certification as amendments to the Santa Barbara County Local Coastal Program, as follows: (Set a hearing for December 10, 2019. Time estimate: 1 hour)

a) Consider recommendations regarding Case No. 19ORD-00000-00003 (County LUDC), as follows:

i) Make the required findings for approval, including California Environmental Quality Act (CEQA) findings, of the proposed Ordinance;

ii) Determine that the adoption of the Ordinance is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) of the State Guidelines for the Implementation of CEQA, and accept 97-ND-02 and Addendum dated March 4, 2011, as adequate environmental review for the amendments to telecommunications facilities pursuant to Section 15162 of the State Guidelines for the Implementation of CEQA; and

iii) Adopt an Ordinance amending the County LUDC (Case No. 19ORD-00000-00003), Section 35 1 of Chapter 35, Zoning, of the Santa Barbara County Code;

b) Consider recommendations regarding Case No. 19ORD-00000-00004 (Montecito LUDC), as follows:

i) Make the required findings for approval, including CEQA findings, of the proposed Ordinance;

ii) Determine that the adoption of the Ordinance is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) of the State Guidelines for the Implementation of CEQA, and accept 97-ND-02 and Addendum dated March 4, 2011, as adequate environmental review for the amendments to telecommunications facilities pursuant to Section 15162 of the State Guidelines for the Implementation of CEQA; and

iii) Adopt an Ordinance amending the Montecito LUDC (Case No. 19ORD-00000-00004), Section 35 1 of Chapter 35, Zoning, of the Santa Barbara County Code;

c) Consider recommendations regarding Case No. 19ORD-00000-00005 (Article II), as follows:

i) Make the required findings for approval, including CEQA findings, of the proposed Ordinance;

ii) Determine that the adoption of this Ordinance is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) and Section 15265 of the State Guidelines for the Implementation of CEQA, and accept 97-ND-02 and Addendum dated March 4, 2011, as adequate environmental review for the amendments to telecommunications facilities pursuant to Section 15162 of the State Guidelines for the Implementation of CEQA; and

iii) Adopt an Ordinance amending the Coastal Zoning Ordinance (Case No. 19ORD-00000-00005), Article II, of Chapter 35, Zoning, of the Santa Barbara County Code; and

d) Consider recommendations regarding Submittal of Article II Coastal Zoning Ordinance Amendments to Coastal Commission, as follows:

i) Adopt a Resolution authorizing the submittal of the Article II Ordinance amendments (Case No. 19ORD-00000-00005) to the Coastal Commission for certification as an amendment to the Santa Barbara County Local Coastal Program;

ii) Determine that the transmittal of this Resolution is an administrative activity of the County which will not result in direct or indirect physical changes in the environment and is therefore not a "project" as defined for purposes of CEQA under State CEQA Guidelines Section 15378(b)(5); and

iii) Direct the Planning and Development Department to transmit the adopted Resolution to the Executive Director of the Coastal Commission.

A motion was made by Supervisor Williams, seconded by Supervisor Hartmann, that this matter be set for a hearing, as follows: December 10, 2019 in Santa Barbara (EST. TIME: 1 HR.). The motion carried by the following vote:

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

A-38) PUBLIC HEALTH

19-00970

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

(Set a hearing for December 10, 2019. Time estimate: 1 hour 30 minutes)

a) Receive and file a presentation on the dangers of flavored tobacco products, the youth vaping epidemic, and how limiting small and inexpensive pack sizes will reduce youth access to deadly tobacco products in Santa Barbara County;

b) Consider the introduction (First Reading) of an Ordinance amending County Code Chapter 37A, Section 37A-7(a), effective 30 days from the date of its passage and in force 90 days from the date of its passage; and

c) Continue to the hearing of December 17, 2019 to consider recommendations, as follows:

i) Consider the adoption (Second Reading) of an Ordinance amending County Code Chapter 37A, Section 37A-7(a), effective 30 days from the date of its passage and in force 90 days from the date of its passage; and

ii) Determine that these activities are exempt from California Environmental Quality Act review per California Environmental Quality Act (CEQA) Guideline Section 15061(b)(3), and direct staff to file a Notice of Exemption.

A motion was made by Supervisor Williams, seconded by Supervisor Hartmann, that this matter be set for a hearing, as follows: December 10, 2019 in Santa Barbara (EST. TIME: 1 HR. 30 MINS.). The motion carried by the following vote:

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

Administrative Items

A-39) COUNTY EXECUTIVE OFFICE [19-00998](#)

Receive and file the 2018 Annual Report for operations at the Santa Barbara Bowl.

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

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

A-40) FIRE [19-00927](#)

Consider recommendations regarding amending Chapter 15 of the Santa Barbara County Code with the adoption of the 2019 California Fire Code, as follows:

- a) Consider the adoption (Second Reading) of an Ordinance amending Chapter 15 of the Santa Barbara County Code to adopt the 2019 California Fire Code with amendments replacing the amended 2016 California Fire Code as the enforcement Code in all areas within the Santa Barbara County Fire Protection District and all other unincorporated areas of the County where the Santa Barbara County Fire Department is the authority having jurisdiction, unless otherwise specified by this Ordinance; and
- b) Determine that the adoption of this Ordinance 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 Williams, seconded by Supervisor Hartmann, that this matter be acted on as follows:

a) Adopted; and

ORDINANCE NO. 5091

b) Approved.

The motion carried by the following vote:

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

A-41) PLANNING AND DEVELOPMENT

19-00918

Consider recommendations regarding the adoption of the 2019 California Building Standards Codes with Local Amendments to Chapter 10 of the Santa Barbara County Code, Building Regulations, as follows:

- a) Consider and approve the adoption (Second Reading) of an Ordinance amending Chapter 10 of the Santa Barbara County Code, Building Regulations;
- b) Consider and approve adoption of a Resolution of Legislative Findings Supporting Amendments to the California Building Standards Codes; and
- c) Determine that this Ordinance amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15061(b)(3), because there is no possibility that the action in question may have a significant effect on the environment.

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

a) Adopted;

ORDINANCE NO. 5092

b) Adopted; and

RESOLUTION NO. 19-305

c) Approved.

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: Support for In-Home Supportive Services/Conservatorship - Dorothy Dent addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) GENERAL SERVICES

19-00975

HEARING - Consider recommendations regarding Renewable Energy Systems Contract and Financing at Santa Barbara County Betteravia Campus, Fifth District, as follows: (EST. TIME: 15 MIN.)

a) Find, in accordance with Government Code Section 4217.12, that the anticipated cost to the County for electrical energy provided by the Energy Service Contract will be less than the anticipated marginal cost to the County of electrical, or other energy that would have been consumed in the absence of the Contract; that the terms of the Energy Services Contract are in the best interests of the County, and that no facility ground lease will be required;

b) Award, and authorize the Chair to execute an Energy Service Contract with Endelos Energy (a local vendor) in the amount of \$4,336,751.00 for final design, construction and startup of renewable energy systems, energy conservation measures, and equipment upgrades at the Betteravia Campus (Santa Maria);

c) Approve and authorize the Chair to execute an On-Bill Financing Loan Agreement, in a form substantially similar to the sample agreement, for an On Bill 0% Financing Loan from PG&E in the amount of \$614,221.00 with a 10-year term to fund the energy efficient lighting upgrades;

d) Approve and authorize the Chair to execute a loan agreement and promissory note, in a form substantially similar to the agreement and note, and related documents for an Energy Efficiency 1% interest loan with a 15-year term from the California Energy Resources Conservation and Development Commission for the Betteravia Campus renewable energy project in the amount of \$2,122,530.00; and

e) Determine that the renewable energy project is statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to California Public Resources Code Section 21080.35 (installing solar systems on existing roofs and existing parking lots), and that it is further categorically exempt from the provisions of CEQA per Sections 15301 (minor alterations to existing facilities) and 15303 (limited construction of small facilities) and 15304 (minor alterations to land) of Title 14 of the California Code of Regulations and direct staff to file a Notice of Exemption on that basis.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 9:45 AM - 10:07 AM (22 min.)

Received and filed staff presentation and conducted public hearing.

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

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

The motion carried by the following vote:

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

Noes: 1 - Supervisor Adam

2) GENERAL SERVICES

[19-00977](#)

HEARING - Consider recommendations regarding Public Safety Radio Network (PSRN) Replacement Project Update, as follows: (EST. TIME: 30 MIN.)

a) Receive and file the PSRN replacement project update, prepared by the County Department of General Services;

b) Authorize the release of the Request for Proposal; and

c) Determine under California Environmental Quality Act (CEQA) Guidelines Section 15061(b) (3) that this activity is exempt from review on the basis that it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 10:08 AM - 10:21 AM (13 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Received and filed;

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

3) COUNTY EXECUTIVE OFFICE

19-00976

HEARING - Consider recommendations regarding a Draft 2020 County of Santa Barbara Legislative Platform for Board Discussion, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file a report on issues and projects included as part of the County’s Draft 2020 Legislative Platform;
- b) Provide staff with direction about any recommended changes to the County’s Draft 2020 Legislative Platform; and
- c) Find that the proposed actions do not constitute a "Project" within the meaning of California Environmental Quality Act, pursuant to 14 CCR 15378(b)(2), as it consists of general policy and procedure making.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 10:22 AM - 10:29 AM (7 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Received and filed and approved the County's Draft 2020 Legislative Platform;**
- b) No further action taken; and**
- c) 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[19-00932](#)

HEARING - Consider recommendations regarding the Residents for Orcutt Sensible Growth appeal of the Planning Commission's August 14, 2019 approval of the Orcutt Gateway Retail Commercial Center (Key Site 2) project, Case Nos. 16TPM-00000-00001, 16DVP-00000-00009, 16CUP-00000-00007, 16CUP-00000-00018, and 16OSP-00000-00002, identified as Assessor Parcel Number 129-280-001, located on a 5.95 gross acre portion of Key Site 2 at the southwest corner of the Highway 101 and Clark Avenue intersection in the Orcutt Community Plan area, Fourth District, as follows: (EST. TIME: 1 HR.)

- a) Deny the appeal, Case No. 19APL-00000-00027;
- b) Make the required findings for approval, including California Environmental Quality Act (CEQA) findings;
- c) After considering the environmental review documents [Addendum dated July 15, 2019] together with the previously certified Final Environmental Impact Report (EIR), determine that as reflected in the CEQA findings, no subsequent Environmental Impact Report shall be prepared for this project;
- d) Grant de novo approval of Case No. 16TPM-00000-00001 subject to the conditions;
- e) Grant de novo approval of Case No. 16DVP-00000-00009, including a modification to the setback requirements, to develop a new retail commercial center subject to the conditions;
- f) Grant de novo approval of Case No. 16CUP-00000-00017 allowing for a drive-through fast food restaurant on proposed Parcel 2 subject to the conditions;
- g) Grant de novo approval of Case No. 16CUP-00000-00018 allowing for a mechanical carwash on proposed Parcel 4 subject to the conditions; and
- h) Grant de novo approval of Case No. 16OSP-00000-00002 for an Overall Sign Plan, including a modification to the number and size of wall signs and to the design of the freestanding sign, subject to the conditions.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:43 AM - 11:40 AM (1 HR. 19 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Accepted Finney Arnold LLP comment letter dated November 18, 2019, and applicant PowerPoint presentation dated November 19, 2019, into the record.

The motion carried by the following vote:

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

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

a) Denied the appeal, Case No. 19APL -00000-00027, per staff recommendations as reflected on pages 23 and 24 of Planning and Development Presentation dated November 19, 2019;

b) Adopted required findings including CEQA findings;

c) Considered and approved;

d) Granted de novo approval of Case No. 16TPM-00000-00001, subject to the conditions;

e) Granted de novo approval of Case No. 16DVP-00000-00009, including a modification to the setback requirements, to develop a new retail commercial center subject to the conditions;

f) Granted de novo approval of Case No. 16CUP-00000-00017, allowing for a drive through fast food restaurant on proposed Parcel 2 subject to the conditions;

g) Granted de novo approval of Case No. 16CUP-00000-00018, allowing for a mechanical carwash on proposed Parcel 4 subject to the conditions; and

h) Granted de novo approval of Case No. 16OSP-00000-00002, for an overall sign plan, including a modification to the number and size of wall signs and to the design of the freestanding sign, subject to the conditions.

The motion carried by the following vote:

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

5) COUNTY EXECUTIVE OFFICE

19-00979

HEARING - Consider recommendations regarding the Fiscal Year (FY) 2020-2025 Five-Year Forecast, as follows: (EST. TIME: 1 HR.)

- a) Receive and file the FY 2020-2025 Five-Year Forecast, including potential fiscal issues facing the County in the coming Fiscal Years; and
- b) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378 that the above activity is not a project under CEQA.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 1:50 PM - 2:40 PM (50 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) 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 2:40 PM

Adjourned to

Tuesday, December 10, 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, November 19, 2019 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, November 21, 2019, at 5:00 PM and on Saturday, November 23, 2019, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>