

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, October 15, 2019

9:00 AM

COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 EAST ANAPAMU STREET, SANTA BARBARA

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

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

9:00 A.M. Convened to Regular Session

Roll Call

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

Pledge of Allegiance

Approval of Minutes of the October 8, 2019 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: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

County Executive Officer's Report

[19-00001](#)

Assistant County Executive Officer, Terri Maus-Nisich announced that the County is hosting an Elected Leaders Forum to address homelessness from 1:00 PM - 3:30 PM on Wednesday October 30th in Solvang at the Hotel Corque, 400 Alisal Road. The forum will be noticed as a Special County Board of Supervisors Meeting. All City Council members have been invited as well. The meeting is open to the public and can RSVP by calling (805) 568-3533.

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)

Griffin v. County of Santa Barbara, et al., United States District Court for the Central District of California case number 2:18-cv-8593-AB (JC).

McCrary v. County of Santa Barbara, et al., Santa Barbara County Superior Court case number 15CV02871.

Homar v. State of California, et. al., Santa Barbara County Superior Court case number 18CV02674.

Santa Barbara County Board of Supervisors, sitting as the Board of Supervisors and as the Board of Directors of the Santa Barbara County Water Agency:

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.

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:

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

Southern California Fire Cases, Judicial Council Coordination Proceeding case number 4965, Los Angeles County Superior Court case number BC699216.

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

Jordan v. County of Santa Barbara, California Department of Industrial Relations Labor Commissioner's Office case number 13-52574.

Report from Closed Session

County Counsel reported that in the matter involving *Jordan v. County of Santa Barbara*, by a 5:0 vote, the Board of Supervisors approved County Counsel's recommendation that the County appeal to the Superior Court an order by the California Labor Commissioners Hearing Officer.

Details of this announcement can be obtained in the office of County Counsel. No further reportable actions 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 WILLIAMS 19-00893

Adopt a Resolution designating October 2019 as Dyslexia Awareness Month and recognizing the work of the Santa Barbara RiteCare Center.

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

RESOLUTION NO. 19-257

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

A-2) SUPERVISOR WILLIAMS, SUPERVISOR HARTMANN 19-00890

Adopt a Resolution proclaiming September 15, 2019 through October 15, 2019 as Latinx Heritage month in Santa Barbara County.

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

RESOLUTION NO. 19-258

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

A-3) SUPERVISOR HART [19-00885](#)

Adopt a Resolution of Commendation Honoring Private First Class Arthur Petersen as the October 2019 Veteran of the Month in Santa Barbara County.

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

RESOLUTION NO. 19-259

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

A-4) SUPERVISOR HART [19-00887](#)

Adopt a Resolution opposing the leasing of Federal Public Lands in Santa Barbara County for Oil and Gas Development as part of the Bureau of Land Management’s Resource Management Plan for the Bakersfield Region.

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

RESOLUTION NO. 19-260

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

Noes: 1 - Supervisor Adam

Abstained: 1 - Supervisor Lavagnino

A-5) SUPERVISOR HARTMANN [19-00883](#)

Adopt a Resolution proclaiming the month of October 2019 as Breast Cancer Awareness Month in Santa Barbara County.

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

RESOLUTION NO. 19-261

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

A-6) SUPERVISOR HARTMANN[19-00888](#)

Adopt a Posthumous Resolution of Commendation for Victim Witness Advocate Joan Fairfield for her 40 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 19-262

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

A-7) SUPERVISOR HARTMANN[19-00889](#)

Adopt a Resolution recognizing the creative community-building and artistic contributions of Los Alamos Resident, Jeffrey Bloom in Santa Barbara County.

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

RESOLUTION NO. 19-263

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

Honorary ResolutionsA-8) SUPERVISOR WILLIAMS, SUPERVISOR HART[19-00892](#)

Adopt a Resolution of commendation honoring Ron Zonen upon receiving the 2019 Anne and Michael Towbes Community Leadership Award.

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

RESOLUTION NO. 19-264

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

A-9) SUPERVISOR HART, SUPERVISOR LAVAGNINO [19-00882](#)

Adopt a Resolution proclaiming the Month of October 2019 as Domestic Violence Awareness Month in Santa Barbara County.

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

RESOLUTION NO. 19-265

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

A-10) SUPERVISOR LAVAGNINO [19-00881](#)

Adopt a Resolution proclaiming the week of October 19, 2019 through October 26, 2019 as Flood Preparedness Week in Santa Barbara County.

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

RESOLUTION NO. 19-266

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

Administrative Items**A-11) AUDITOR-CONTROLLER****[19-00858](#)**

Consider recommendations regarding the County of Santa Barbara's Comprehensive Annual Financial Report (CAFR) and Financial Highlights for the Fiscal Year Ended June 30, 2019, as follows:

- a) Receive and file the County of Santa Barbara's CAFR for the Fiscal Year ended June 30, 2019;
- b) Receive and file the County of Santa Barbara's Financial Highlights report for the Fiscal Year ended June 30, 2019;
- c) Receive and file the Required Communication Letter Pursuant to Statements on Auditing Standards (SAS) No. 114 for the Fiscal Year ended June 30, 2019; and
- d) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378(b)(5), 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 Williams, seconded by Supervisor Hartmann, that this matter be acted on as follows:

- a) through c) Received and filed; and**
- d) Approved.**

The motion carried by the following vote:

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

A-12) BEHAVIORAL WELLNESS**[19-00866](#)**

Consider recommendations regarding a Fourth Amendment to the Agreement with Psynergy Programs, Inc., Fiscal Year (FY) 2017-2020, as follows:

- a) Approve, ratify, and authorize the Chair to execute a Fourth Amendment to the Agreement for Services of Independent Contractor with Psynergy Programs, Inc., (not a local vendor) to add an Adult Residential Facility offering non-ambulatory mental health beds for FY 2019-2020, with no increase to the total contract maximum amount of \$4,121,549.00 for the period July 1, 2017 through June 30, 2020; 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 Hartmann, seconded by Supervisor Hart, 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-13) BEHAVIORAL WELLNESS

19-00874

Consider recommendations regarding a Second Amendment to the agreement with Thomas D. Ramirez d.b.a. Southern Coast Janitorial, Fiscal Year (FY) 2017-2020, as follows:

a) Approve, ratify, and authorize the Chair to execute a Second Amended Agreement for Services of Independent Contractor with Thomas D. Ramirez d.b.a. Southern Coast Janitorial (a local vendor) to increase the contract amount by \$100,000.00, to reallocate FY 2019-2020 funds to FYs 2017-2018 and 2018-2019 as a result of unanticipated need for emergency services and supplies beyond the initial contract maximum, and to add specialty cleaning services to meet Federal and State regulatory compliance, for a total contract maximum not to exceed \$512,380.00 for the period of July 1, 2017 to June 30, 2020;

b) Determine that the County's economic interests are served by such a contract, pursuant to Government Code Section 31000, since there are not County employees available to perform these maintenance or custodial matters; and

c) Determine that the above actions are government fiscal activities that will not result in direct or indirect physical changes in the environment, pursuant to section 15378(b)(4) of the California Environmental Quality Act (CEQA) guidelines.

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

a) Approved, ratified 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-14) BEHAVIORAL WELLNESS**19-00878**

Consider recommendations regarding a Third Amendment to the Agreement with Good Samaritan Shelter, Fiscal Year (FY) 2018-2021, as follows:

- a) Approve, ratify, and authorize the Chair to execute a Third Amendment to the Agreement for Services of Independent Contractor with Good Samaritan Shelter (a local vendor), for the provision of substance use disorder services at amended sites due to recent Medi-Cal certifications with no change to the Maximum Contract Amount not to exceed \$12,861,643.00 for the period December 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 Hartmann, seconded by Supervisor Hart, 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-15) COMMUNICATIONS FOR REFERRAL**19-00877**

City of Lompoc - Approve the following requests of the City of Lompoc:

- a) Declare a Fiscal Emergency pursuant to Article XIII C Section 2(B) of the California Constitution;
- b) Order the submission to the qualified electorate of the City of Lompoc a one cent per dollar (1.0%) sales tax for General Fund Purposes at a Special Municipal Election to be held on March 3, 2020, consolidated with the Statewide Primary Election to be held on Tuesday, March 3, 2020; call such election; request that the County of Santa Barbara Consolidate the election with the established election date to be held on March 3, 2020; direct County Elections to conduct the election on the City's behalf and authorize City Payment for such consolidated elections services; and
- c) Direct the City Attorney to prepare an impartial analysis and set priorities for filing written arguments.

(APPROVE AND REFER TO THE COUNTY CLERK-RECORDER-ASSESSOR)

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

a) and b) Approved; and

c) Directed and referred to the County Clerk-Recorder-Assessor.

The motion carried by the following vote:

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

A-16) COMMUNITY SERVICES

[19-00886](#)

Consider recommendations regarding the Santa Barbara County Office of Arts and Culture Application for California Arts Council State Local Partnership Program (SLPP) Grant, as follows:

a) Adopt a Resolution (the Resolution) that designates the Santa Barbara County Office of Arts and Culture to serve as the County partner in the SLPP, authorizes the Office to submit an application for a 2020-2022 SLPP grant to the California Arts Council, and approves and authorizes the Office to execute the grant agreement if awarded by the California Arts Council;

b) Approve and authorize the Executive Director of the Office of Arts and Culture or designee to execute the 2020-2022 SLPP grant agreement with the California Arts Council in a form substantially similar to the draft grant agreement and upon review and approval of the County Counsel, Auditor-Controller, and Risk Manager or their designees if the SLPP grant is awarded; and

c) Determine that the above-recommended actions are not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), finding that the action is a creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

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

a) Adopted;

RESOLUTION NO. 19-267

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-17) COUNTY COUNSEL

19-00869

Consider recommendations regarding an Outside Counsel Contract with Goodin, MacBride, Squeri and Day, LLP, as follows:

a) Approve, ratify and authorize the Chair to execute an Agreement for Professional Legal Services with the law firm of Goodin, MacBride, Squeri and Day, LLP which will support the County of Santa Barbara’s participation in ongoing regulatory rulemaking by the California Public Utilities Commission about electric power line de-energization events, with a not-to-exceed amount of \$75,000.00, and a term commencing September 23, 2019 and ending September 30, 2020; and

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

A motion was made by Supervisor Hart, 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: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Abstained: 1 - Supervisor Adam

A-18) COUNTY COUNSEL**19-00875**

Consider recommendations regarding an amendment to the agreement for Professional Legal Services with Outside Counsel Andruess/Podberesky, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute an Amendment to the Agreement for Professional Legal Services between the County of Santa Barbara and the Andruess/Podberesky law firm, increasing the contract payment limit from \$250,000.00 to \$500,000.00; 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 Hartmann, seconded by Supervisor Hart, 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-19) COUNTY COUNSEL**19-00876**

Consider recommendations regarding a second amendment to the agreement for Professional Legal Services with Outside Counsel Meyers/Nave, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute the Second Amendment to the Agreement for Professional Legal Services between the County of Santa Barbara and the Meyers/Nave law firm, increasing the contract payment limit from \$750,000.00 to \$1,500,000.00; 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 Hart, 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: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Abstained: 1 - Supervisor Adam

A-20) COUNTY COUNSEL

[19-00884](#)

Consider recommendations regarding an agreement for Professional Legal Services with Kingston, Martinez and Hogan, LLP, as follows:

a) Approve and authorize the Chair to execute an Agreement for Professional Legal Services between the County of Santa Barbara and Kingston, Martinez and Hogan, LLP, for a term of October 15, 2019 to October 15, 2021 in an amount not to exceed \$25,000.00; 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 Hartmann, seconded by Supervisor Hart, 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: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Noes: 1 - Supervisor Adam

A-21) COUNTY EXECUTIVE OFFICE[19-00100](#)

Consider recommendations regarding the re-ratification of Proclamations of Local Emergencies related to the Thomas Fire/Storm Incident, as follows:

- a) Adopt a Resolution re-ratifying the Proclamations of Local Emergencies related to the Thomas Fire/Storm Incident that exist in Santa Barbara County pursuant to Government Code Section 8630(c);
- b) Direct the Office of Emergency Management to return within 60 days for re-ratification of the Emergency until such time that the response and recovery conditions dictate otherwise; and
- c) Determine the above actions are not a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA Guidelines, because the actions consist of organizational or administrative activities of the government that will not result in direct or indirect physical changes in the environment.

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

a) Adopted;

RESOLUTION NO. 19-268

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-22) COUNTY EXECUTIVE OFFICE[19-00865](#)

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

A motion was made by Supervisor Hartmann, seconded by Supervisor Hart, 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-23) HUMAN RESOURCES[19-00800](#)

Consider recommendations regarding adopting an Ordinance (Second Reading) setting compensation and benefits for members of the Santa Barbara County Board of Supervisors, as follows:

- a) Provide a 3% salary increase, consistent with the October 2018 Index of the Consumer Price Index - Urban (CPI - U) for the Los Angeles-Long Beach-Anaheim area to be effective during Fiscal Year 2019-2020 and tie future, annual salary increases to the CPI-U (October Indices) from a minimum of 0% to a maximum of 3% each Fiscal Year, effective the first pay period following sixty (60) days after Board approval;
- b) Implement a 0.83% pension cost-sharing pick-up for members of the Board of Supervisors in classic/legacy retirement plans, effective the first pay period following sixty (60) days after Board approval;
- c) Provide a 2.5% increase to the County contributions to health insurance for all Board members enrolled in and receiving County-sponsored health insurance, effective with the 2020 plan year (Pay Period 2020-01) or in the first pay period following sixty (60) days after Board approval, which is consistent with the increase all County employees on health plans will receive to the County contribution to health insurance, effective with the 2020 health insurance plan year;
- d) Increase the automobile allowance for members of the Board of Supervisors by \$7.00 biweekly to the amount of \$232.00 biweekly to match the automobile allowance of other elected County department heads; and
- e) Determine that the above actions are government fiscal activities or funding mechanisms which do not involved any commitment to any specific project which may result in potential physical impacts 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 Hartmann, seconded by Supervisor Williams, that this matter be acted on as follows:

a) through e) Approved and adopted.

ORDINANCE NO. 5090

The motion carried by the following vote:

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

Noes: 1 - Supervisor Adam

A-24) PROBATION[19-00870](#)

Consider recommendations regarding agreements for Youth Reinvestment Grant (YRG) Diversion and Program Evaluation Services, as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor with the Council on Alcoholism and Drug Abuse (CADA) (a local vendor) to provide grant-funded diversion services to youth in the community and their families countywide, with a total contract amount not to exceed \$894,593.00 (the Agreement) from July 1, 2019 through February 28, 2023, the period of the grant term;
- b) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor with the University of California, Santa Barbara (UCSB) to provide pre-adjudication diversion program evaluation of the state YRG diversion program, with a total contract amount not to exceed \$80,000.00 (the Agreement) from July 1, 2019 through February 28, 2023;
- c) Approve Budget Revision Request No. 0006602 recognizing \$220,920.00 of Fiscal Year (FY) 2019-2020 YRG State grant funds and increasing appropriations by \$276,150.00; and
- d) 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 Hartmann, seconded by Supervisor Hart, that this matter be acted on as follows:

a) and b) Approved and authorized; Chair to execute; 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-25) PUBLIC HEALTH[19-00873](#)

Consider recommendations regarding a Second Amendment to the Professional Service Agreement with Barton and Associates, Inc., as follows:

- a) Approve and authorize the Chair to execute a Second Amendment to the Agreement for professional services with Barton and Associates, Inc. to increase funding by \$300,000.00 for a revised total amount not to exceed \$900,000.00 for the period through June 30, 2020 to provide locum tenens coverage; and

b) Find that the proposed actions do not constitute a “Project” within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(4) of the CEQA Guidelines, because they consist of the creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

A motion was made by Supervisor Hartmann, seconded by Supervisor Hart, 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-26) PUBLIC WORKS

19-00867

Consider recommendations regarding a Statement of Final Quantities for the construction of Ortega Ridge Road Slide Repair Project, County Project No. 820672, First District, as follows:

a) Approve and authorize the Chair to execute the Statement of Final Quantities for Construction of Ortega Ridge Road Slide Repair MS-TDA Wall Project for work performed and materials supplied by Raminha Construction, Inc. (a Tri-County Vendor), 6805 Sycamore Road, Atascadero, CA 93422, in the amount of \$683,344.77; and

b) Determine that the project was found by the Board to be exempt from the provisions of the California Environmental Quality Act pursuant State Guidelines Section 15301(c) on February 14, 2017, a Notice of Exemption was filed on that basis, and the proposed action is within the scope of that Notice of Exemption.

A motion was made by Supervisor Hartmann, seconded by Supervisor Hart, 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-27) PUBLIC WORKS[19-00871](#)

Consider recommendations regarding a second amendment to the Cornerstone Agreement for Services of Independent Contractor for Floradale Avenue Bridge No. 51C-0371 Project, County Project No. 862032, Third District, as follows:

- a) Approve, ratify, and authorize the Chair to execute the Second Amendment to the Agreement for Services of Independent Contractor with Cornerstone Structural Engineering Group (not a local vendor), to add services and to increase the base amount by \$149,170.00 for a revised total amount not to exceed \$1,076,580.00, including \$84,310.00 in contingency funds with a period of performance of July 25, 2017 through June 30, 2021 to provide professional engineering services for the Floradale Avenue Bridge No. 51C-0371 Project;
- b) Approve and authorize the Director of Public Works, or designee, to make immaterial amendments in accordance with Section 36 of the Agreement; and
- c) Determine the above actions are not a project under the California Environmental Quality Act guidelines pursuant to Section 15378(b)(5) because it consists of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

A motion was made by Supervisor Hartmann, seconded by Supervisor Hart, 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-28) PUBLIC WORKS[19-00868](#)

Consider recommendations regarding a Statement of Final Quantities for construction of East Mountain Drive Rockfall Attenuator System Project, County Project No. 18104C, First District, as follows:

- a) Approve and authorize the Chair to execute a Statement of Final Quantities for the East Mountain Drive Rockfall Attenuator System Project, Federal Aid Project No. 4535DR-CA-42121, for work performed and materials supplied by Sunquest General Engineering (not a local vendor), 16128 Fruitvale Road Valley Center, CA 92082, in the amount of \$190,927.50; and

b) Determine that the project was found by the Board to be exempt from the provisions of the California Environmental Quality Act pursuant to 14 CCR 15269 (d) on November 6, 2018, a Notice of Exemption was filed on that basis, and the proposed action is within the scope of that Notice of Exemption.

A motion was made by Supervisor Hartmann, seconded by Supervisor Hart, 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-29) SHERIFF

[19-00879](#)

Consider recommendations regarding the acceptance of Board of State and Community Corrections (BSCC) for an Edward Byrne Memorial Justice Assistance Grant Program for Co-Response Team, as follows: (4/5 Vote Required)

a) Approve and authorize the Sheriff to sign an agreement with the BSCC for an Edward Byrne Memorial Justice Assistance Grant Program for an amount of \$2,145,000.00 to fund the two County co-response teams from October 1, 2019 through December 31, 2022;

b) Approve Budget Revision Request No. 0006649 to: increase appropriations of \$715,000.00 in the Sheriff General Fund for Salaries and Benefits (\$328,600.00), Services and Supplies (\$46,650.00), Other Charges (\$12,550.00), and Other Financing Uses (\$327,200.00) funded by unanticipated revenue from Intergovernmental Revenue-Federal; increase Appropriations of \$80,000.00 in the Vehicle Operations/Maintenance Fund for Capital Assets funded by an operating transfer from the General Fund; and increase appropriations of \$247,200.00 in the Behavioral Wellness MHSA Fund for Salaries and Benefits funded by an operating transfer from the General Fund;

c) Approve a Resolution that accepts funding from the BSCC/Byrne JAG grant in the amount of \$2,145,000.00 to be used over Fiscal Year (FY) 2019-2022; and

d) Determine that the above action is not a project pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4), 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 Hartmann, seconded by Supervisor Hart, that this matter be acted on as follows:

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

RESOLUTION NO. 19-269

- d) Approved.**

The motion carried by the following vote:

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

A-30) SHERIFF

[19-00872](#)

Consider recommendations regarding an agreement to Provide Traffic Deputy and Community Resource Deputy Services between the County of Santa Barbara and the Cities of Buellton and Solvang, as follows:

- a) Approve, ratify, and authorize the Chair to execute two, separate agreements to provide Law Enforcement Services between the County of Santa Barbara and the Cities of Buellton (Traffic Deputy) and Solvang (Community Resource Deputy), for a term of one (1) year; and
- b) Determine that the recommended action is not a “Project” within the meaning of the California Environmental Quality Act (CEQA), pursuant to CEQA Guideline Section 15378(b)(4), since the recommended action is a government fiscal activity which does not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

A motion was made by Supervisor Hartmann, seconded by Supervisor Hart, 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-31) SOCIAL SERVICES

19-00880

Consider recommendations regarding the appointment and reappointments of Workforce Development Board (WDB) Members, as follows:

- a) Approve the appointment of the recommended individuals to the WDB;
- b) Reappoint nine current members to the WDB; and
- c) Determine that the above actions do not involve any commitment to any specific project which may result in a potentially significant impact on the environment, and therefore it is not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) and (5) as the proposed action is also an organizational or administrative activity.

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

a) through c) Approved.

The motion carried by the following vote:

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

Hearing RequestsA-32) FIRE[19-00891](#)

Set a hearing to amend Chapter 15 of the Santa Barbara County Code with the Adoption of the 2019 California Fire Code, as follows:

(Set a hearing for November 5, 2019. Time estimate: 30 minutes)

a) Consider the introduction (first 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 (AHJ), unless otherwise specified by the Ordinance; and

b) Continue to November 19, 2019 on the Administrative Agenda to consider recommendations, as follows:

i) Consider the adoption (second reading) of an Ordinance amending Chapter 15 of the Santa Barbara County Code as set forth above; and

ii) 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 Hartmann, seconded by Supervisor Hart, that this matter be set for a hearing, as follows: November 5, 2019 in Santa Barbara (EST. TIME: 30 MIN.). The motion carried by the following vote:

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

A-33) PLANNING AND DEVELOPMENT[19-00864](#)

Set a hearing to consider recommendations regarding the adoption of the 2019 California Building Standards Codes with Local to Chapter 10 of the Santa Barbara County Code; Building Regulations, as follows:

(Set a hearing for November 5, 2019. Time estimate: 15 minutes)

a) Approve the introduction (first reading) of an Ordinance, Case No. 19ORD-00000-00007, amending Chapter 10 of the Santa Barbara County Code, Building Regulations, adopting the 2019 California Building Standards Codes with local amendments;

- b) Read the title of the Ordinance and waive full reading of the Ordinance; and

- c) Continue the hearing to the Administrative Agenda of November 19, 2019 to consider recommendations, as follows:
 - i) Consider and approve the adoption (second reading) of an Ordinance amending Chapter 10 of the Santa Barbara County Code, Building Regulations;

 - ii) Consider and approve adoption of a Resolution of Legislative Findings Supporting Amendments to the California Building Standards Codes; and

 - iii) 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 Hartmann, seconded by Supervisor Hart, that this matter be set for a hearing, as follows: November 5, 2019 in Santa Barbara (EST. TIME 15 MIN.). 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 Permitting Process - Ed Kalasky addressed the Board

Re: Veteran Homelessness in Santa Barbara County - Jay Johnson addressed the Board

Re: Homelessness in Santa Barbara County - Paul Boring addressed the Board

Re: County Oil Spill Plan - Linda Krop addressed the Board

Departmental Agenda
Planning Items and Public Hearings

1) **PUBLIC WORKS, GENERAL SERVICES**

19-00761

HEARING - Consider recommendations regarding Fernald Point Lane Bridge Replacement Resolution of Necessity, Project at Romero Creek Acquisition of Temporary and Permanent Easement (APNs: 007-380-004, 007-380-006, 007-380-007 and -007-380-024), First District, as follows: (4/5 Vote Required) (EST. TIME: 45 MIN.)

a) Approve, adopt, and authorize the Chair to execute the Resolutions of Necessity for the acquisition of temporary and/or permanent easements (collectively referred to as the “Easements”) in the following real properties for the Fernald Point Lane Bridge Replacement Project at Romero Creek (the “Project”) located on Fernald Point Lane, Santa Barbara:

i) APNs 007-380-004 and 007-380-024 (at or near 1745 Fernald Point Lane), which is owned by True Horizons, LLC, a Delaware Limited Liability Company, (“True Horizons”);

ii) APN 007-380-006 (at or near 1767 Fernald Point Lane), which is owned by Linda S. Keston, Daniel E. Keston and James A. Keston Co-Trustees of the Keston Revocable Trust dated March 29, 1995 (“Keston”); and

iii) APN 007-380-007 (at or near 1775 Fernald Point Lane), which is owned by Kathleen S. Grassini, Trustee or any Successor Trustee, of the Kathleen S. Grassini Qualified Personal Residence Trust, UDT dated July 18, 2000; Lawrence P. Grassini, Trustee or any Successor Trustee of the Lawrence P. Grassini Qualified Personal Residence Trust, UDT dated July 18, 2000, (“Grassini”) (Collectively, the “Owners” and the “Properties”);

b) Authorize the Director of Public Works, or designee, to execute any documents and to expend funds for deposit with the State Treasurer’s Office a sum equal to the Easements’ appraised fair market value, estimated at \$124,700.00, plus related costs and fees, in order to acquire the Easements; and

c) After considering the Mitigated Negative Declaration (MND) and the Mitigation Monitoring Program (15NGD-00000-00005) for the Proposed Fernald Point Lane Bridge Replacement Project at Romero Creek approved and adopted by the Board of Supervisors on June 21, 2016 and the discussion included herein, find that pursuant to State 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, pursuant to Section 15162, the recommended actions are within the scope of the project covered by the MND and no new environmental document is required.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:10 AM - 11:58 AM (48 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) i) Approved and adopted; Chair to execute;

RESOLUTION NO. 19-270

ii) Approved and adopted; Chair to execute;

RESOLUTION NO. 19-271

iii) Approved and adopted; Chair to execute;

RESOLUTION NO. 19-272

b) Authorized; and

c) Approved.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Williams

2) COUNTY EXECUTIVE OFFICE

19-00894

HEARING - Consider recommendations regarding an update on the Santa Barbara County Independent Redistricting Commission, as follows: (EST. TIME: 20 MIN.)

- a) Receive and file an update on the schedule and next steps for establishing the Santa Barbara County Redistricting Commission; and
- b) Determine, pursuant to the California Environmental Quality Act (CEQA) Guidelines 15378(b) (5), that the above actions are not a project subject to CEQA review because they are administrative activities that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 11:59 AM - 12:21 PM (22 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 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 2:15 PM

Adjourned to

Tuesday, November 5, 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, October 15, 2019 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, October 17, 2019, at 5:00 PM and on Saturday, October 19, 2019, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>