

**County of Santa Barbara**  
**BOARD OF SUPERVISORS**



*First District - Das Williams, Chair*  
*Second District - Janet Wolf*  
*Third District - Joan Hartmann*  
*Fourth District - Peter Adam*  
*Fifth District - Steve Lavagnino, Vice Chair*  
  
*Mona Miyasato, County Executive Officer*

**Action Summary**

**Tuesday, February 27, 2018**

**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](http://www.countyofsb.org).

**9:00 A.M. .... Convened to Regular Session**

**Supervisor Hartmann will be participating from the following location:**

**300 New Jersey Avenue  
NW Suite 900  
Washington, DC, 20001**

**Roll Call**

**Present:** 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

**Pledge of Allegiance**

**Approval of Minutes of the February 13, 2018 Meeting**

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

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

County Executive Officer's Report

**18-00050**

**No report from the County Executive Officer.**

**12:00 P.M. .... Recessed to Closed Session**

**Closed Session**

18-00007

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

Baker v. County of Santa Barbara, et al., Workers' Compensation Appeals Board case number ADJ6542108.

Barrett, etc., et al. v. County of Santa Barbara, Santa Barbara County Superior Court case number 17CV03001.

Keller v. County of Santa Barbara, Santa Barbara County Superior Court case number 15CV03102.

Stoianova v. Burke, et al., Santa Barbara County Superior Court case number 16CV04580.

Murray, et al. v. County of Santa Barbara, et al., United States District Court for the Central District of California, case number 2:17-cv-08805-GW-JPR.

Gaviota Coast Conservancy v. Santa Barbara County, et al., Santa Barbara County Superior Court case number 17CV05649.

In re: Venoco, LLC, et al., United States Bankruptcy Court for the District of Delaware case number 17-10828 (KG).

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

Significant exposure to civil litigation: 1 case.

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

Deciding whether to initiate civil litigation: 1 case.

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

Employee organizations: all bargaining units, unrepresented employees, managers, and executives.  
Agency-designated representatives: County Executive Officer Mona Miyasato and Human Resources Director Lori Gentles.

## Report from Closed Session

No reportable action taken.

### Administrative Agenda

*All matters listed hereunder constitute a consent agenda, and will be acted upon by a single roll call vote of the Board. Matters listed on the Administrative Agenda will be read only on the request of a member of the Board or the public, in which event the matter shall be removed from the Administrative Agenda and considered as a separate item.*

#### **Administrative Items**

A-1) AGRICULTURAL COMMISSIONER [18-00113](#)

Approve the following appointments to the Agricultural Advisory Committee:

- a) Deborah Adam, Regular Member appointed by the California Women for Agriculture; and
- b) Wilja Happe, Alternate Member appointed by the California Women for Agriculture.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

**a) and b) Approved.**

**The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-2) AUDITOR-CONTROLLER [18-00117](#)

Consider recommendations regarding the Auditor-Controller's Report on the Statement of Assets of the Santa Barbara County Treasurer's Investment Pool as of December 31, 2017, as follows:

- a) Receive and file the Auditor-Controller's Report on the Statement of Assets of the Santa Barbara County Treasurer's Investment Pool as of December 31, 2017; and
- b) Determine that the above actions are not a project under 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 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 Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

**a) Received and filed; and**

**b) Approved.**

**The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

**A-3) BEHAVIORAL WELLNESS**

**18-00129**

Consider recommendations regarding the Mental Health Association in Santa Barbara (dba Mental Wellness Center) Fiscal Year (FY) 2017-2018 Second Amendment for FEMA grant-funded Crisis Counseling Services, as follows:

a) Approve, ratify and authorize the Chair to execute a Second Amendment to Mental Wellness Center's FY 2017-2018 contract, to add a new statement of work for Crisis Counseling services starting February 15, 2018 and to increase the contract by \$719,180.00 including \$316,843.00 in currently available FEMA grants to cover Program Services through March 15, 2018, with additional funding contingent on state and federal approvals, for a new contract maximum amount not to exceed \$2,240,285.00 through June 30, 2018; and

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

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, 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 Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-4) CLERK-RECORDER-ASSESSOR [18-00119](#)

Accept and file the Certification of Results for the Los Olivos Community Services District Formation Mail Ballot Election held on January 30, 2018, as required by law.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Accepted. The motion carried by the following vote:**

- Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Hartmann

A-5) COMMUNICATIONS FOR REFERRAL [18-00143](#)

City of Santa Barbara - Approve the request of the City of Santa Barbara to call and give notice of a consolidated special municipal election to be held in the City of Santa Barbara on Tuesday, June 5, 2018 for the election of a City Councilmember from District 3 as the result of the election of a member of the City Council to the Office of Mayor.

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

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Approved and Referred to the County Clerk-Recorder-Assessor. The motion carried by the following vote:**

- Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Hartmann

A-6) COMMUNITY SERVICES

18-00130

Consider recommendations regarding Amendment No. 2 to the Subrecipient Agreement with the City of Santa Maria for Tenant-Based Rental Assistance (TBRA), Fourth and Fifth Districts, as follows:

- a) Approve and Authorize the Chair to execute the Second Amendment to the TBRA Sub-recipient Agreement with the City of Santa Maria, decreasing the original grant amount of \$252,651.00 by \$150,000.00 to \$102,651.00 and extending the term of the contract to December 31, 2018; and
- b) Determine that the approval of the Second Amendment is exempt from 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 impact on the environment, and direct staff to file a Notice of Exemption.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, 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 Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Hartmann

A-7) COMMUNITY SERVICES

18-00131

Consider recommendations regarding funding reservations to Sierra Madre Cottages and The Residences at Depot Street, Fifth District, as follows:

- a) Approve a reservation of County funds for the Sierra Madre Cottages project that will (a) be in an amount not to exceed \$1,400,000.00; (b) consist of HOME funds and/or in-lieu funds in specific amounts to be determined by the Board at a later date; and (c) be released if People’s Self-Help Housing Corporation does not receive notification of an award of low-income housing tax credits for the project by September 30, 2018;
- b) Authorize the Director of Community Services Department (CSD) to sign a letter to the Sierra Madre Cottages project applicant indicating the approved reservation;
- c) Approve a reservation of County funds for The Residences at Depot Street project that will (a) be in an amount not to exceed \$2,387,095.00; (b) consist of HOME funds and/or In-Lieu Funds in specific amounts to be determined by the Board at a later date; and (c) be released if the Housing Authority of Santa Barbara County does not receive notification of an award of low-income housing tax credits for the project by September 30, 2018;
- d) Authorize the Director of the Community Services Department (CSD) to sign a letter to The Residences at Depot Street project applicant indicating the approved reservation; and
- e) Determine that the approval of the reservation of funding is not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4), finding that the actions are not a project as they are 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, and direct staff to file a Notice of Exemption.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

- a) Approved;**
- b) Authorized;**
- c) Approved;**
- d) Authorized; and**
- e) Approved.**

**The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann



A-8) COMMUNITY SERVICES

18-00132

Consider recommendations regarding the execution of a Professional Services Agreement for \$64,000.00 with HomeBase for Continuum of Care Program Implementation, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute a Professional Services Agreement that will provide funding in an amount not to exceed \$64,000.00 from salary savings and unexpended federal Continuum of Care (CoC) Planning Grant funds to HomeBase/The Center for Common Concerns, a California-based nonprofit agency, for Continuum of Care technical services for the period March 1, 2018 to June 30, 2018;

b) Approve Budget Revision Request No. 0005526 which transfers appropriations of \$64,000.00 from Salaries and Benefits to Services and Supplies to be used towards HomeBase’s consulting services; and

c) Determine that the recommended actions do not constitute projects subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15378(b)(4), finding that the projects are a creation of government funding mechanism or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and direct staff to file a Notice of Exemption.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

**a) Approved and authorized; Chair to execute;**

**b) and c) Approved.**

**The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-9) COMMUNITY SERVICES

18-00133

Consider recommendations regarding a Replacement Lease with the California State Lands Commission for placement and maintenance of swim and channel marker buoys in the Pacific Ocean in Santa Barbara County, as follows:

- a) Approve and authorize the Chair to execute Lease No. PRC 7082.1 between the County of Santa Barbara and the State of California, acting by and through the California State Lands Commission, for seasonal placement and maintenance of swim and channel marker buoys in the Pacific Ocean at Arroyo Burro Beach, Goleta Beach, Lookout Beach, Miramar Beach and Butterfly Beach in Santa Barbara County;
- b) Adopt a Resolution approving the Lease from the State Lands Commission to allow the placement and maintenance of swim and channel markers in the Pacific Ocean at Goleta Beach, Arroyo Burro Beach, Lookout Beach, Butterfly Beach and Miramar Beach; 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 15311(c), finding that the activity consists of placement of seasonal or temporary items in generally the same locations from time to time in publicly owned areas designed for public use, and direct staff to file a Notice of Exemption.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

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

**RESOLUTION NO. 18-35**

- c) **Approved.**

**The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-10) COUNTY COUNSEL

18-00120

Consider recommendations regarding approval of the Conflict of Interest Code of the San Antonio Basin Groundwater Sustainability Agency, as follows:

- a) Approve the Conflict of Interest Code of the San Antonio Basin Groundwater Sustainability Agency; and

b) Determine that the above action is organizational or administrative activities of government that is not a project under California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA Guidelines.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

**a) and b) Approved.**

**The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

**A-11) COUNTY COUNSEL**

**18-00122**

Consider recommendations regarding an agreement for Professional Legal Services with Outside Counsel (Boornazian, Jensen and Garthe, a Professional Corporation), as follows:

a) Approve and authorize the Chair to execute the Agreement for Professional Legal Services between the County of Santa Barbara and the firm of Boornazian, Jensen and Garthe, a Professional Corporation, in an amount not to exceed \$75,000.00 without written amendment; and

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

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, 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 Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-12) COUNTY COUNSEL

18-00139

Consider recommendations regarding an agreement for Professional Legal Services with Outside Counsel (Renne Sloan Holzman Sakai LLP/Public Law GroupTM, which will become Sloan Sakai Yeung and Wong LLP effective March 1, 2018, as follows:

a) Approve and authorize the Chair to execute an agreement for Professional Legal Services between the County of Santa Barbara and the firm of Renne Sloan Holzman Sakai LLP/Public Law GroupTM (which will become Sloan Sakai Yeung and Wong LLP effective March 1, 2018) in an amount not to exceed \$75,000.00 without written amendment; and

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

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, 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 Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-13) COUNTY EXECUTIVE OFFICE

18-00092

Consider recommendations regarding the Thomas Fire/Storm Incident Update and Local Proclamation re-ratification, as follows:

- a) Adopt a Resolution re-ratifying the Proclamations of Local Emergencies related to the Thomas Fire and subsequent Storm Emergency declared by the Director of Emergency Services on December 8, 2017, and January 8, 2018, respectively, when the Board was not in session, pursuant to Government Code Section 8550 et. seq. and Chapter 12, Section 12-5(a) of the Santa Barbara County Code, now combined and re-named Thomas Fire/Storm Incident;
- b) Direct the Office of Emergency Management to return monthly 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 Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

**a) Adopted.**

**RESOLUTION NO. 18-36**

**b) Directed; and**

**c) Approved.**

**The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-14) COUNTY EXECUTIVE OFFICE

18-00012

Consider recommendations regarding re-ratification of the Proclamation of Local Emergency caused by drought conditions, last action February 6, 2018, (Thirty-Day Renewal), as follows:

- a) Adopt a Resolution re-ratifying the Proclamation of Local Emergency Caused by Drought Conditions that exist in Santa Barbara County pursuant to Government Code Section 8630(c);
- b) Direct the Office of Emergency Management to return monthly for re-ratification of the Emergency until such a time that weather and water supply conditions dictate otherwise; and
- c) Determine that this project was found by your Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant State CEQA Guidelines Sections 15061(b) (3) and 15269(a), and that the proposed actions are within the scope of the prior CEQA exemption.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

**a) Adopted.**

**RESOLUTION NO. 18-37**

**b) Directed; and**

**c) Approved.**

**The motion carried by the following vote:**

- Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Hartmann

A-15) COUNTY EXECUTIVE OFFICE

18-00148

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

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

- Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Hartmann

A-16) COUNTY EXECUTIVE OFFICE

18-00150

Consider recommendations regarding initial cost estimates for Thomas Fire and the January 9, 2018 Debris Flow, as follows: (4/5 Vote Required)

- a) Receive and file a report from the County Executive Office outlining initial staff estimates of the cost impacts and potential revenue loss to the County related to the Thomas Fire and subsequent debris flow;
- b) Approve Budget Revision Request No. 0005531 increasing appropriations in the Office of Emergency Management and the Sheriff's Office for costs related to the Thomas Fire and January 9, 2018 debris flow, funded by release of committed strategic reserve fund balance; and
- c) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines 15378(b)(4) that the above actions are not a project subject to CEQA review, because it is a government fiscal activity that 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 Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

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

**The motion carried by the following vote:**

- Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Hartmann

A-17) DISTRICT ATTORNEY[18-00134](#)

Consider recommendations regarding an Agreement for Services of Contractor on Payroll for Sexual Assault Response Team (SART) Coordinator for Fiscal Year 2017 - 2018, as follows:

- a) Approve and authorize the Chair to execute an Agreement for Services of Contractor on Payroll with Claudia Dato as Coordinator for SART, for the period of February 28, 2018 through June 30, 2018, in an amount not to exceed \$55,000.00; 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.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, 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 Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-18) FIRE[18-00128](#)

Consider recommendations regarding an agreement between the County of Santa Barbara and Rotorcraft Support Inc. for Helicopter Maintenance and Repair Services, UH-1H 308, as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute an Agreement for the services of an Independent Contractor, Rotorcraft Support Inc., for helicopter maintenance and repair services needed for helicopter 308, for a total contract amount not to exceed \$150,000.00;
- b) Approve and authorize the Fire Chief or designee to approve up to a 10% contingency with Rotorcraft Support, Inc. in the amount not to exceed \$15,000.00 for any additional items within the scope of work that may be required to complete the repairs and/or maintenance; and
- c) Find that the proposed Agreement is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline section 15378(b)(2) in that the Agreement involves a continuing administrative or maintenance activity, and CEQA Guidelines section 15378(b)(5), in that the Agreement involves an organizational or administrative activity of government that will not result in the direct or indirect physical change in the environment.



**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

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

**The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

**A-19) GENERAL SERVICES**

**18-00115**

Consider recommendations regarding a Professional Services Agreement with Blackbird Architects, Third District, as follows:

- a) Approve and authorize the Chair to execute a Professional Services Agreement with Blackbird Architects in the amount of \$56,060.00 to provide Architectural, Engineering, and related professional design services for the Isla Vista Community Center Phase II Project; and
- b) Find that the proposed actions are not a project under the California Environmental Quality Act (CEQA) pursuant to sections 15378(b)(4) and 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, and direct staff to file of a Notice of Exemption on that basis.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, 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 Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-20) GENERAL SERVICES[18-00137](#)

Consider recommendations regarding the appointment of Mobile Home Rent Control Arbitrators, Santa Barbara County Code of Ordinances Chapter 11A - Mobile Home Rent Control, as follows:

a) Approve the appointment of the following two (2) qualified candidates to the County of Santa Barbara's Panel of prospective Mobile Home Rent Control Arbitrators:

- i) Sayre Macneil, Attorney at Law - Appointment; and
- ii) Hon. Frank J. Ochoa, Judge (Ret.) - Appointment; and

b) Determine that the Board's appointment and reappointment of Mobile Home Rent Control Arbitrators is not a project pursuant to the California Environmental Quality Act (CEQA) Guidelines section 15378(b)(5), as it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

**a) i) and ii) Approved; and**

**b) Approved.**

**The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-21) PLANNING AND DEVELOPMENT[18-00116](#)

Consider recommendations regarding Coastal Resource Enhancement Fund (CREF) Grant Contract, as follows:

a) Approve and authorize the Chair to execute the CREF contract with the Channel Islands Marine and Wildlife Institute, in the amount of \$16,057.00, towards their outreach and marine mammal educational program for the period of February 27, 2018 to February 15, 2020;

b) Approve and authorize the Director of Planning and Development, or designee, to: extend performance in accordance with Section 3 of the contract for up to and not to exceed a period of one year for good cause, to terminate the contract in accordance with Section 4 and Section 15 of the contract for failure of Grantee to provide matching funds; and to approve project changes in accordance with Section 5 of the contract, including changes to project description, reduction in the overall project budget or change in a budget item of 10 percent or more; and

c) Determine that the allocation of the CREF grant is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the State Guidelines for the implementation of CEQA.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

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

**The motion carried by the following vote:**

- Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Hartmann

**A-22) PROBATION**

**[18-00138](#)**

Consider recommendations regarding Santa Barbara Juvenile Hall status as a juvenile detention facility, as follows:

- a) Authorize the Chief Probation Officer to submit a letter to the California Board of State and Community Corrections (BSCC) removing the Santa Barbara Juvenile Hall’s (SBJH) status as a juvenile detention facility; and
- b) Determine that the above recommended action is not a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5), finding that the action is not a project as they are organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and direct staff to file the Notice of Exemption.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

- a) Authorized; and**
- b) Approved.**

**The motion carried by the following vote:**

- Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Hartmann

A-23) PUBLIC WORKS

18-00121

Consider recommendations regarding approval of a professional services contract with Padre Associates, Inc. for biological consulting services for the Tajiguas Landfill and Baron Ranch, Third District, as follows:

- a) Approve and authorize the Chair to execute the professional services contract with Padre Associates, Inc. with an end date of June 30, 2019, for a total contract not-to-exceed cost of \$58,620.00 to allow the contractor to provide biological consulting services for the Tajiguas Landfill and Baron Ranch; and
- b) Determine that this action is exempt from California Environmental Quality Act pursuant to Section 15378(b)(5), which exempts organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment and approve the filing of a Notice of Exemption on that basis.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, 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 Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Hartmann

A-24) PUBLIC WORKS

18-00136

Consider recommendations regarding a professional services contract with Tetra Tech Inc. for Level 2 Exceedance Response Action Storm Water Sampling at the Santa Ynez Valley Recycling and Transfer Station, Third District, as follows:

a) Approve and authorize the Chair to execute the professional services contract with Tetra Tech, Inc. (a local vendor) with an end date of June 30, 2018, for a total contract amount not to exceed \$9,945.21 for Level 2 Exceedance Response Action storm water sampling at the Santa Ynez Valley Recycling and Transfer Station; and

b) Find that the proposed action does not constitute a “Project” within the meaning of the California Environmental Quality Act pursuant to 15378(b)(5), organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment and approve the filing of the Notice of Exemption on that basis.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, 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 Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-25) PUBLIC WORKS18-00125

Consider recommendations regarding construction of 2017-2018 North County Pavement Rehabilitation Project No. 820678 N in the Third, Fourth, and Fifth Districts, as follows:

- a) Approve the specifications for Construction of 2017-2018 North County Pavement Rehabilitation Project, to repave approximately five lane miles in the Third, Fourth, and Fifth Districts, on file in the Public Works Department office;
- b) Award the construction contract in the amount of \$1,510,514.00 to the lowest responsible bidder, Souza Construction, Inc. (a Tri-County Vendor), 4027 Santa Fe Road, San Luis Obispo, CA 93401, subject to the provision of documents and certifications, as set forth in the specifications applicable to the project, as required under California Law;
- c) Approve and authorize the Chair to execute the construction contract, which has been reviewed and approved by County Counsel, Auditor-Controller, and Risk Manager, or their authorized representatives;
- d) Authorize the Public Works Director or designee to approve change orders for a contingency amount up to \$92,644.98 plus an additional amount of \$92,386.00 for supplemental work items for the construction on 2017-2018 North County Pavement Rehabilitation Project, for a total not to exceed authorization of \$1,695,544.98; and
- e) Determine the project was found by your Board to be exempt from the provisions of the California Environmental Quality Act pursuant to 14 CCR 15301(c) on July 25, 2017 (as the proposed project(s) consists of the operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities), a Notice of Exemption was filed on that basis, and the proposed action is within the scope of the Notice of Exemption.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Withdrawn from the agenda. The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-26) PUBLIC WORKS

18-00135

Consider recommendations regarding an amendment to the professional services contract with Bengal Engineering for engineering services for the South Coast Recycling and Transfer Station, Second District, as follows:

- a) Approve and authorize the Chair to execute Amendment No. 1 to Agreement BC17171 for engineering services of independent contractor Bengal Engineering (a local vendor) to increase the agreement amount up to \$50,000.00 for a revised total amount not to exceed \$120,020.00, and to extend the term through December 31, 2018 for a revised full term of October 3, 2016 through December 31, 2018; and
- b) Find that the proposed action does not constitute a “Project” within the meaning of the California Environmental Quality Act pursuant to 15378(b)(5), organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment and approve the filing of the Notice of Exemption on that basis.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, 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 Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Hartmann

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

18-00123

Consider recommendations regarding a Public Works Director’s Report on emergency response actions from impacts of flooding and storms and continuation of emergency actions, First District, as follows: (4/5 Vote Required)

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

- a) Receive and review a report from the Public Works Director regarding emergency actions taken pursuant to Resolution No. 15-321 and Public Contract Code section 22050 related to emergency operations responding to flooding, storms, and debris removal following the January 9, 2018 storm and the necessity of the action and the reasons the emergency will not permit delay resulting from competitive solicitation of bids;
- b) Determine that there is a need to continue the emergency action ordered by the Public Works Director;
- c) Direct staff to return to the Board every 14 days to allow the Board to review the emergency action and determine whether there is a need to continue the emergency action, by a 4/5 vote, until the action is terminated; and
- d) Determine that the proposed action is statutorily exempt under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15269(c) actions necessary to prevent or mitigate an emergency that does not have a low probability of occurrence and direct the staff to file a Notice of Exemption with the Clerk of the Board of Supervisors on that basis.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

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

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

**The motion carried by the following vote:**

- Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Hartmann



A-28

PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

18-00124

Consider recommendations regarding emergency and disaster recovery CM Contract, as follows:

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

a) Approve, ratify, and authorize the Chair to execute Amendment No. 1 adding federal clauses to the Agreement for Services of Independent Contractor with Filippin Engineering (a local vendor) providing construction management and inspection services for emergency and disaster recovery projects;

b) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor for construction management and inspection services for emergency/disaster recovery projects and for routine engineering services with Filippin Engineering (a local vendor) in the amount not-to-exceed \$400,000.00 for the period of February 27, 2018 through December 31, 2019; and

c) Determine that the proposed actions are not a project under the California Environmental Quality Act, pursuant to Guidelines Section 15378 (b)(4), 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 physical impact on the environment.

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

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

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

**a) and b) Approved and authorized; Chair to execute;**

**c) Approved.**

**The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-29) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

18-00021

Consider recommendations regarding Lower Mission Creek Flood Control Project Reaches 3 and 4, First District, as follows:

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

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Agreement for Services of Independent Contractor with Bengal Engineering (a local vendor) to provide engineering design services for the Lower Mission Creek Flood Control Project, Reaches 3 and 4 (BC 17-117), increasing the contract amount of \$362,575.00 to a not-to-exceed amount of \$434,545.00, an increase of \$71,970.00;
- b) Authorize an increase of \$7,197.00 to the contingency amount of \$36,257.50 to a total contingency amount to \$43,454.50 with Bengal Engineering for additional work that may be needed to complete work for the project; 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 Environmental Impact Report/Environmental Impact Statement for the Lower Mission Creek Flood Control Project as well as the Findings, and Statement of Overriding Considerations approved and adopted by the Board on May 10, 2011, and therefore, no subsequent environmental document is required.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Withdrawn from the agenda. The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-30) TREASURER-TAX COLLECTOR

18-00118

Consider recommendations regarding a request for approval to sell tax-defaulted property at public auction via internet from June 8, 2018 to June 11, 2018, as follows:

- a) Receive and accept the Notice of Intention to sell tax-defaulted property and request for approval from the Treasurer-Tax Collector;
- b) Adopt a Resolution approving a tax sale, by public auction via internet, of tax defaulted property;
- c) Direct the Clerk of the Board to transmit a certified copy of the Resolution to the Treasurer-Tax Collector within five days after the date of its adoption; and
- d) Determine that the above actions are not a project under 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 physical impact on the environment.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

- a) Received;
- b) Adopted.

**RESOLUTION NO. 18-38**

- c) Directed; and
- d) Approved.

**The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-31) TREASURER-TAX COLLECTOR [18-00114](#)

Accept for filing the Fiscal Year 2017-2018 Second Quarter (October 2017 through December 2017) report on the Treasurer’s Investment Pool, pursuant to Government Code section 53646(b).

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Accepted. The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

**Board of Supervisors**

A-32) SUPERVISOR ADAM [18-00144](#)

Approve the reappointment of Joel Byars to the Orcutt Trails Commission, term ending December 31, 2018, Fourth District.

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

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-33) SUPERVISOR ADAM [18-00145](#)

Approve the reappointment of Luis Escobar to the Orcutt Trails Commission, term ending December 31, 2018, Fourth District.

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

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-34) SUPERVISOR ADAM

[18-00146](#)

Approve the reappointment of Aaron Sturges-Melby to the Orcutt Trails Commission, term ending December 31, 2020, Fourth District.

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

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-35) SUPERVISOR ADAM

[18-00147](#)

Approve the reappointment of Robert Albrecht to the Orcutt Trails Commission, term ending December 31, 2020, Fourth District.

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

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

## Hearing Requests

### A-36) PLANNING AND DEVELOPMENT

[18-00141](#)

Set a hearing to consider the appeal filed by Mr. John J. Thyne III, attorney for Mr. Mark Brooks and Ms. Patti Stewart, appellants, of the Planning Commission's September 27, 2017 approval of revisions to the Golden Inn and Village Development Plans, Case Nos. 17RVP-00000-00046, 17RVP-00000-00071 and 17RVP-00000-00072, Assessor Parcel Numbers 141-380-045, 141-380-046, and 141-380-047 located at 890 Refugio Road, Santa Ynez Community Plan area, Third District, as follows:

(Set a hearing for March 20, 2018. Time estimate: 1 hour 30 minutes)

- a) Deny the appeal, Case No. 17APL-00000-00018;
- b) Make the required findings for approval of the project, including California Environmental Quality Act (CEQA) findings;
- c) After considering the environmental review documents together with the previously adopted Mitigated Negative Declaration, determine that as reflected in the CEQA findings, no subsequent Mitigated Negative Declaration shall be prepared for this project;
- d) Grant de novo approval of Case No. 17RVP-00000-00046 to 12DVP-00000-00014, including the previously approved modification to the setback requirements, subject to the revised conditions of approval;
- e) Grant de novo approval of Case No. 17RVP-00000-00071 to 13DVP-00000-00005 subject to the revised conditions of approval; and
- f) Grant de novo approval of Case No. 17RVP-00000-00072 to 13DVP-00000-00006 subject to the revised conditions of approval.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: March 20, 2018 in Santa Barbara (EST. TIME: 1 HR. 30 MIN.). The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

A-37) PLANNING AND DEVELOPMENT18-00142

Set a hearing to consider the Planning Commission's recommendations to approve the Bell Street Ordinance Amendment and Tentative Tract Map, Mixed-Use Land Use Permit and Government Code Section 65402 Conformity Determination, which will effectuate an Ordinance amendment for all parcels zoned CM-LA within the Los Alamos Community Plan and the development of a mixed-use project at 230 St. Joseph Street in Los Alamos, (Case Numbers 17ORD-00000-00016/16TRM-00000-00002/17LUP-00000-00413, 17GOV-00000-00005), Third District, as follows:

(Set a hearing for March 13, 2018. Time estimate: 30 minutes)

- a) Adopt an Ordinance (Case No. 17ORD-00000-00016) amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code;
- b) Make the required findings for approval of the project;
- c) Approve the Tentative Tract Map (Case No. 16TRM-00000-00002) subject to the conditions of approval;
- d) Approve the Land Use Permit (Case No. 17LUP-00000-00413) subject to the conditions of approval;
- e) Determine that as reflected in the California Environmental Quality Act (CEQA) findings, no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this project; and
- f) Receive the Planning Commission conformity report required by Government Code Section 65402(a); the Planning Commission staff report dated November 22, 2017 and the Planning Commission Action letter for the hearing held on December 13, 2017 constitute the required report.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: March 13, 2018 in Santa Maria (EST. TIME: 30 MIN.). The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

**Honorary Resolutions**

A-38) SUPERVISOR WOLF [18-00127](#)

Adopt a Resolution of Commendation honoring Omulo Amoke upon his retirement from the Department of Social Services after over 27 years of exemplary service to the citizens of Santa Barbara County.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 18-39**

**The motion carried by the following vote:**

- Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Hartmann

**Resolutions to be Presented**

A-39) SUPERVISOR LAVAGNINO [18-00126](#)

Adopt a Resolution of Commendation honoring Bob Clarke upon his retirement from the General Services Department after over 39 years of exemplary service to the citizens of Santa Barbara County.

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be Adopted.**

**RESOLUTION NO. 18-40**

**The motion carried by the following vote:**

- Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Hartmann



**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) (18-00001)*

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

**Re: School Resource Officers - Nancy Sheldon and Marcy Wimbish addressed the Board.**

**Re: County Permitting Process - Ed Kalasky addressed the Board.**

**Re: Conservatorship Issues - Lynda Enta and Christine Cooper addressed the Board.**

**Re: Placement of Debris Flow Sediment on Beaches - Kira Redmond addressed the Board.**

**Departmental Agenda**  
**Planning Items and Public Hearings**

1) **PLANNING AND DEVELOPMENT** **18-00149**

HEARING - Reconsider recommendations regarding Case Nos. 17ORD-00000-00004 and 17ORD-00000-00010, which the Board adopted on February 6, 2018, to amend, respectively, the County Land Use and Development Code (LUDC), and the Article II Coastal Zoning Ordinance (CZO), to establish regulations for cannabis, as follows: (EST. TIME: 30 MIN.)

a) Make the required findings for approval for the Ordinance revisions, including California Environmental Quality Act (CEQA) findings, and determine that the Board previously adopted a statement of overriding considerations covering the entire Cannabis Land Use Ordinance and Licensing Program which remains in effect and requires no changes;

b) Adopt an Ordinance (Case No. 17ORD-00000-00004) amending Section 35-1 of the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code;

c) Adopt an Ordinance (Case No. 17ORD-00000-00010) amending Section 35 of the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code;

d) Determine for purposes of CEQA that:

i) Adoption of the Land Use and Development Code (Case No. 17ORD-00000-00004) is within the scope of the program approved earlier, and the Cannabis Land Use Ordinance and Licensing Program Final Programmatic Environmental Impact Report (PEIR) [Case No. 17EIR-00000-00003, State Clearinghouse No. 2017071016] adequately describes the activity for the purposes of CEQA;

ii) Pursuant to CEQA Guidelines section 15162(a), after considering the PEIR certified by the Board of Supervisors on February 6, 2018, that no subsequent EIR or Negative Declaration is required because: i) no substantial changes are proposed which require major revisions of the PEIR; ii) no substantial changes have occurred with respect to the circumstances under which the Ordinance is undertaken which require major revisions of the PEIR; and iii) no new information of substantial importance concerning the Ordinance's significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the PEIR was certified, has been received; and

iii) Adoption of the Coastal Zoning Ordinance, Case No. 17ORD-00000-00010, remains exempt from CEQA pursuant to CEQA Guidelines section 15265;

e) Consider the adoption of a Resolution Transmitting Case No. 17ORD-00000-00010 (CZO) to

the Coastal Commission, as follows:

- i) Adopt a Resolution transmitting Case No. 17ORD-00000-00010 (CZO) to the Coastal Commission for certification by the California Coastal Commission as an amendment to Santa Barbara County’s certified Local Coastal Program;
- ii) Find that transmittal of the 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 the California Environmental Quality Act (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.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

*HEARING TIME: 9:30 AM - 10:35 PM (1 HR. 5 MIN.)*

**Received and filed staff presentation and conducted public hearing.**

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

**a) Approved.**

**b) Adopted.**

**ORDINANCE NO. 5027**

**c) Adopted.**

**ORDINANCE NO. 5028**

**d) i) through iii) Approved.**

**e) i) Adopted.**

**RESOLUTION NO. 18-41**

**e) ii) and iii) Approved.**

**Further directed staff to return to the Board for a discussion regarding a cultivation cap by region or based on permits.**

**The motion carried by the following vote:**

- Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, and Supervisor Lavagnino
- Noes:** 1 - Supervisor Adam

2) COUNTY EXECUTIVE OFFICE

18-00151

HEARING - Consider recommendations regarding authorization to submit a direct argument in favor of the Cannabis Operations Tax Ballot Measure and authorization to direct argument authors to provide a rebuttal if needed, as follows: (EST. TIME: 30 MIN.)

a) Under Elections Code Section 9162(a), authorize and direct the Chair to sign and submit to the Elections Official on behalf of the Board of Supervisors, a direct argument in favor of the Cannabis Operations Tax Ballot Measure for the June 5, 2018 Primary Election Ballot before February 28, 2018;

b) Under Elections Code 9167(a) authorize Supervisors Lavagnino and Williams to prepare, sign and submit to the Elections Official rebuttal arguments on behalf of the Board of Supervisors or authorize in writing any other person or persons to prepare, submit or sign the rebuttal arguments between March 2 and March 12, 2018, if necessary; and

c) Determine that the above actions are not a project under 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 which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

*HEARING TIME: 10:36 AM - 10:41 AM (5 MIN.)*

**Received and filed staff presentation and conducted public hearing.**

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

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

**The motion carried by the following vote:**

- Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, and Supervisor Lavagnino
- Abstained:** 1 - Supervisor Adam

3) PUBLIC WORKS

18-00072

HEARING - Consider recommendations regarding amending Chapters 24A and 29-24 of the Santa Barbara County Code relating to fines and penalties for violations regarding discharge into Laguna County Sanitation District Treatment System, Third, Fourth and Fifth Districts, as follows: (EST. TIME: 15 MIN.)

a) Consider the introduction (first reading) of Ordinances (2) amending Chapters 24A and 29-24 of the Santa Barbara County Code relating to administrative fines and penalties for violations to Chapter 29, Article III - Discharge into Laguna County Sanitation District Treatment System;

b) Continue to the Administrative Agenda of March 13, 2018 to consider recommendations, as follows:

i) Consider adoption (second reading) of Ordinances (2) amending Chapters 24A and 29-24 of the Santa Barbara County Code relating to administrative fines and penalties for violations to Chapter 29, Article III - Discharge into Laguna County Sanitation District Treatment System;

ii) Read the title of the Ordinances (2) and waive the reading of the Ordinances in full; and

iii) Find that the proposed Ordinance amendments are for the protection of the environment and does not involve construction activities or relaxation of standards and is therefore exempt from the California Environmental Quality Act pursuant to 14 CCR 15308 (Actions by Regulatory Agencies for the Protection of the Environment) and approve the filing of a Notice of Exemption on that basis.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

*HEARING TIME: 11:07 AM - 11:12 PM (5 MIN.)*

**Received and filed staff presentation and conducted public hearing.**

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

**a) Read title, waived further reading of the ordinances (2). Introduction approved; adoption (second reading) set for March 13, 2018 on the administrative agenda in Santa Maria;**

**b) i) through iii) Set for March 13, 2018 on the administrative agenda in Santa Maria.**

**The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

4) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT, GENERAL SERVICES 18-00016

HEARING - Consider recommendations regarding Lower Mission Creek - Reaches 2B-Phase II and 3 (De La Vina Holdings, LLC) (APN: 037-245-018) Fee Acquisitions, Second District, as follows: (4/5 Vote Required) (EST. TIME: 30 MIN.)

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

a) Adopt a Resolution of Necessity to facilitate the acquisition of the fee interest in the real property for Reach 2B-Phase II and Reach 3 - the Lower Mission Creek Project on the property located at 324 De La Vina Street, Santa Barbara, (Property), which is owned by De La Vina Holdings, LLC.;

b) Authorize the Director of Public Works, or designee, to deposit with the Santa Barbara Superior Court a sum equal to the Parcel's appraised fair market value, estimated at \$1,660,000.00, plus related costs and fees, in order to acquire the Property; and

c) Find that pursuant to the California Environmental Quality Act (CEQA) Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the approval of the recommended action and therefore pursuant to CEQA Section 15162, the recommended actions are within the scope of the project covered by the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Lower Mission Creek Flood Control Project as well as the Findings and Statement of Overriding Considerations accepted by the Board of Directors as a Responsible Agency on May 10, 2011, and no new environmental document is required.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

**A motion was made by Supervisor Lavagnino, seconded by Supervisor Adam, that this matter be Withdrawn from the agenda. The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

5) PLANNING AND DEVELOPMENT18-00028

HEARING - Consider the adoption of the Montecito Architectural Guidelines and Development Standards Limited Update, Phase II, First District, as follows: (30 MIN.)

- a) Make the findings for approval, including California Environmental Quality Act (CEQA) findings;
- b) Determine that the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15265;
- c) Adopt a Resolution amending the Montecito Architectural Guidelines and Development Standards;
- d) Adopt an Ordinance amending the Montecito Land Use and Development Code (MLUDC) (Case No. 17ORD-00000-00011), Section 35-2 of Chapter 35, Zoning, of the Santa Barbara County Code;
- e) Adopt an Ordinance amending the Coastal Zoning Ordinance (CZO) (Case No. 17ORD-00000-00012), of Chapter 35, Zoning, of the Santa Barbara County Code; and
- f) Adopt a Resolution authorizing staff to submit the amendments to the Santa Barbara County Local Coastal Program to the California Coastal Commission for review and certification.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 11:25 PM - 11:45 PM (20 MIN.)*

Received and filed staff presentation and conducted public hearing.

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

a) and b) Approved;

c) Adopted.

RESOLUTION NO. 18-42

d) Adopted.

ORDINANCE NO. 5029

e) Adopted.

ORDINANCE NO. 5030

f) Adopted.

RESOLUTION NO. 18-43

The motion carried by the following vote:

- Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Hartmann



6) PLANNING AND DEVELOPMENT

18-00102

HEARING - Consider the recommendation of the County Planning Commission to amend the County’s Environmental Thresholds and Guidelines Manual by revising thresholds of significance to guide the County’s environmental analysis of cultural resources of a project subject to CEQA, as follows: (EST. TIME: 1 HR.)

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

b) Determine the project is exempt from CEQA pursuant to CEQA Guideline Sections 15308 and 15378(b) of CEQA; and

c) Adopt a Resolution recommending that the Board of Supervisors adopt Case No. 17ORD-00000-00017, amending the County of Santa Barbara’s Environmental Thresholds and Guidelines Manual, by revising thresholds of significance to guide the County’s environmental analysis of cultural resources of a project subject to CEQA.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

**A motion was made by Supervisor Wolf, seconded by Supervisor Lavagnino, that this matter be Acted on as follows:**

**Received and filed staff presentation and conducted public hearing.**

**a) and b) Approved; and**

**c) Adopted.**

**RESOLUTION NO. 18-44**

**The motion carried by the following vote:**

**Ayes:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Adam, and Supervisor Lavagnino

**Absent:** 1 - Supervisor Hartmann

7) PLANNING AND DEVELOPMENT18-00027

HEARING - Consider recommendations regarding the O'Neil Residence, Variance, General Plan Amendment and Rezone, Case No's: 08GPA-00000-00007, 08RZN-00000-00006, 12VAR-00000-00012, and 08CDH-00000-00040, Assessor's Parcel Number (APN) 005-250-001, located at 2551 Wallace Avenue in the Summerland area, First District, as follows: (EST. TIME: 1 HR.)

Hearing on the request of Patsy Price, agent for the owner, Jeffery O'Neil to consider the following:

- a) Case No. 08GPA-00000-00007, [application filed on July 30, 2008] for a Local Coastal Program Amendment to change the land use designation of the property from Recreation/Open Space to Residential, 4.6 units/acre;
- b) Case No. 08RZN-00000-00006, [application filed on July 30, 2008] for a rezone to change the zoning of the property from REC to 7-R-1;
- c) Case No. 12VAR-00000-00012, [application filed on February 8, 2012] for a Variance from the parking and setback regulations in compliance with Section 35-173 of the Article II Coastal Zoning Ordinance on property zoned 7-R-1, to allow: a north setback of 2 feet 4 inches instead of the required 10 feet; an east setback of 8 feet instead of the required 10 feet; and, zero uncovered parking spaces instead of the required 2 uncovered parking spaces; and
- d) Case No. 08CDH-00000-00040 [application filed on November 12, 2008] for a Coastal Development Permit in compliance with Section 35-169.3 of Article II, the Coastal Zoning Ordinance, on property zoned 7-R-1 to permit demolition of a 1,443 square foot residence and construction of a new 2,218 square foot residence;

On February 27, 2018, staff recommends that your Board deny the project by taking the following actions:

- a) Make the required findings for denial of the project, including California Environmental Quality Act (CEQA) findings;
- b) Determine that denial of the project is exempt from CEQA pursuant to CEQA Guideline Section 15270(b); and
- c) Deny Case No's. 08GPA-00000-00007, 08RZN-00000-00006, 12VAR-00000-00012, and 08CDH-00000-00040;

Alternatively, in order to approve the project, take the following actions:

- a) Make the required findings for approval of the project, including CEQA findings;
- b) Determine that the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15265, 15301(l)(1), and 15303(a);

c) Adopt the Board of Supervisors Resolution, and amend the map titled Summerland Community Plan Land Use Designation Map to amend the land use designation of Assessor’s Parcel Number 005-250-001 from Recreation/Open Space to Residential-4.6 Units Per Acre (Case No. 08GPA-00000-00007);

d) Adopt the Board of Supervisors Zoning Map Amendment Ordinance, included as Attachment-9, and rezone Assessor’s Parcel Number 005-250-001 from REC to 7-R-1 (Case No. 08RZN-00000-00006); and

e) Approve Case No’s. 08GPA-00000-00007, 08RZN-00000-00006, 12VAR-00000-00012, and 08CDH-00000-00040, subject to the conditions.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

*HEARING TIME: 2:35 PM - 4:25 PM (1 HR. 50 MIN.)*

**Received and filed staff presentation and conducted public hearing.**

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

**Determined to proceed with the hearing regarding the O’Neil Residence, Variance, General Plan Amendment and Rezone.**

**The motion carried by the following vote:**

- Ayes:** 3 - Supervisor Williams, Supervisor Adam, and Supervisor Lavagnino
- Noes:** 1 - Supervisor Wolf
- Absent:** 1 - Supervisor Hartmann

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

Conceptually approved as follows:

- a) Make the required findings for approval of the project (including CEQA findings) specified in Attachment-5 of the Board Letter dated January 30, 2018, as modified at the hearing of February 27, 2018, subject to the conditions included as Attachment-6 of the Board Letter dated January 30, 2018, as modified at the hearing of February 27, 2018;
- b) Determine that the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15265, 15301(l)(1), and 15303(a). Please see the CEQA Exemption included as Attachment-7 of the Board Letter dated January 30, 2018;
- c) Adopt the Board of Supervisors Resolution, included as Attachment-8 of the Board Letter dated January 30, 2018, and amend the map titled Summerland Community Plan Land Use Designation Map to amend the land use designation of Assessor’s Parcel Number 005-250-001 (Exhibit A) from Recreation/Open Space to Residential-4.6 Units Per Acre (Case No. 08GPA-00000-00007);
- d) Adopt the Board of Supervisors Zoning Map Amendment Ordinance, included as Attachment-9 of the Board Letter dated January 30, 2018, and rezone Assessor’s Parcel Number 005-250-001 from REC to 7-R-1 (Case No. 08RZN-00000-00006); and
- e) Approve Case No’s. 08GPA-00000-00007, 08RZN-00000-00006, 12VAR-00000-00012, and 08CDH-00000-00040.

Directed that the Board recess to allow the Planning and Development staff to draft language for final action.

The motion carried by the following vote:

- Ayes:** 3 - Supervisor Williams, Supervisor Adam, and Supervisor Lavagnino
- Abstained:** 1 - Supervisor Wolf
- Absent:** 1 - Supervisor Hartmann

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

a) Adopted the required findings for approval of the project (including CEQA findings) specified in Attachment-5 of the Board Letter dated January 30, 2018, as modified at the hearing of February 27, 2018, subject to the conditions included as Attachment-6 of the Board Letter dated January 30, 2018, as modified at the hearing of February 27, 2018; as reflected in Attachment A, dated February 27, 2018, to the Planning and Development Board Letter dated January 30, 2018;

b) Determined that the project is exempt from CEQA pursuant to CEQA Guidelines Sections 15265, 15301(i)(1), and 15303(a). Please see the CEQA Exemption included as Attachment-7 of the Board Letter dated January 30, 2018;

c) Adopted the Board of Supervisors Resolution, included as Attachment-8 of the Board Letter dated January 30, 2018, and amend the map titled Summerland Community Plan Land Use Designation Map to amend the land use designation of Assessor’s Parcel Number 005-250-001 (Exhibit A) from Recreation/Open Space to Residential-4.6 Units Per Acre (Case No. 08GPA-00000-00007);

**RESOLUTION NO. 18-45**

d) Adopted the Board of Supervisors Zoning Map Amendment Ordinance, included as Attachment-9 of the Board Letter dated January 30, 2018, and rezone Assessor’s Parcel Number 005-250-001 from REC to 7-R-1 (Case No. 08RZN-00000-00006); and

**ORDINANCE NO. 5031**

e) Approved Case No’s. 08GPA-00000-00007, 08RZN-00000-00006, 12VAR-00000-00012, and 08CDH-00000-00040.

The motion carried by the following vote:

- Ayes:** 3 - Supervisor Williams, Supervisor Adam, and Supervisor Lavagnino
- Noes:** 1 - Supervisor Wolf
- Absent:** 1 - Supervisor Hartmann

**Adjourned at 4:25 PM**

**Adjourned to**

**Tuesday, March 13, 2018**

**Joseph Centeno Betteravia Government Administration Building**

**Board Hearing Room**

**511 East Lakeside Parkway**

**Santa Maria**

**Challenges**

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

**Announcements**

*The meeting of Tuesday, February 27, 2018 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, March 1, 2018, at 5:00 PM and on Saturday, March 3, 2018, at 10:00 AM on CSBTV Channel 20.*

**<http://www.countyofsb.org>**