

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Das Williams, Vice Chair

Second District - Janet Wolf

Third District - Joan Hartmann, Chair

Fourth District - Peter Adam

Fifth District - Steve Lavagnino

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, October 17, 2017

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

CONVENED AT 9:06 AM

Roll Call

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

Pledge of Allegiance

Approval of Minutes of the October 10, 2017 Meeting

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

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

County Executive Officer's Report

County Executive Officer's Report

[17-00789](#)

Receive and file a Status Report from the Office of Emergency Management regarding emergency alerting in Santa Barbara County.

Received and filed status report.

12:00 P.M. Recessed to Closed Session**Closed Session****17-00007**

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

Santa Barbara Channelkeeper v. County of Santa Barbara, United States District Court for the Central District of California, case number 2:15-cv-09758.

Whitson v. Santa Barbara County, etc., et al., Santa Barbara County Superior Court case number 16CV03698.

County of Santa Barbara v. Zinke, etc., et al., United States District Court for the Central District of California, case number 2:17-cv-703-SVW-AFM.

County of Santa Barbara, California, et al. v. Pacific Regional Director, Bureau of Indian Affairs, United States Department of the Interior Office of Hearings and Appeals, Interior Board of Indian Appeals, docket numbers 16-051, 16-053, and 16-054.

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

Deciding whether to initiate civil litigation: 13 cases.

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

Significant exposure to civil litigation: one case.

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) BEHAVIORAL WELLNESS [17-00772](#)**

Consider recommendations regarding Fiscal Years (FY) 2017-2020 PC 1000/DUI Revenue Agreements, as follows:

- a) Approve, ratify, and authorize the Chair to execute a multi-year Revenue Agreement for Services of Independent Contractor with Coast Valley Substance Abuse Treatment Center (Coast Valley) (a local vendor) for the provision of PC 1000 Program Services, with projected revenue of \$3,550.00 per year for the period of July 1, 2017 through June 30, 2020;
- b) Approve, ratify, and authorize the Chair to execute a multi-year Revenue Agreement for Services of Independent Contractor with Council on Alcoholism and Drug Abuse (CADA) (a local vendor) for the provision of DUI and PC 1000 Program Services, with projected revenue of \$6,000.00 per year for the period of July 1, 2017 through June 30, 2020; and
- c) Determine that the above actions are organizational or administrative actions of government that will not result in direct or indirect physical changes in the environment, pursuant to section 15378(b) (5) of the California Environmental Quality Act (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 and authorized; Chair to execute; and

c) Approved.

The motion carried by the following vote:

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

A-2) COMMUNITY SERVICES[17-00773](#)

Consider recommendations regarding the Library Consultant selection update, as follows: (4/5 Vote Required)

- a) Approve the library consultant selection committee's recommendation of Management Partners, Inc., to provide countywide library consultant services and direct staff to enter into a contract;
- b) Approve Budget Revision Request No. 0005359 which increases appropriations by \$57,000.00, to be used towards library consultant services; and
- c) Determine that the above recommendation actions are exempt from California Environmental Quality Act (CEQA) review per CEQA Guideline 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) through c) Approved.

The motion carried by the following vote:

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

A-3) COMMUNITY SERVICES[17-00774](#)

Consider recommendations regarding Grant Applications to the State of California Department of Parks and Recreation for the Fireside Amphitheater Renovation and the Marina Overlook Interpretive Station at Cachuma Lake, Third District, as follows:

- a) Authorize the Director of the Community Services Department, or designee, to apply for grants from the State of California Department of Parks and Recreation Office of Grants and Local Services (OGALS) for the Fireside Amphitheater Renovation and the Marina Overlook Interpretive Station at Cachuma Lake by submitting the grant applications, including all required attachments and supporting documentation;
- b) Adopt Resolutions (2) for authorizations by and designations of the Director of Community Services Department, or designee, as part of the OGALS applications for the Cachuma Fireside Amphitheater Renovations and the Cachuma Marina Overlook Interpretive Station;

c) Authorize the Director of Community Services Department, or designee, to execute and submit Grant Agreements in a form substantially similar to the attached OGALS sample grant agreement as shown in the Grant Administration Guide and upon review and concurrence of County Counsel, Auditor-Controller, and Risk Manager or their designee if the OGALS grant is awarded; and

d) 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 actions are creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment, 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) Authorized;

b) Adopted.

RESOLUTION NO. 17-217

RESOLUTION NO. 17-218

c) Authorized; and

d) Approved.

The motion carried by the following vote:

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

A-4) COUNTY EXECUTIVE OFFICE

17-00021

Consider recommendations regarding the re-ratification of a Proclamation of Local Emergency caused by drought conditions, last action on September 19, 2017, (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. 17-219

b) Directed; and

c) Approved.

The motion carried by the following vote:

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

A-5) COUNTY EXECUTIVE OFFICE

17-00599

Consider recommendations regarding the re-ratification of the Alamo and Whittier Fire Emergency Proclamation, last action on September 19, 2017, (Thirty-Day Renewal), as follows:

- a) Adopt a Resolution in accordance with Government Code Section 8630(c), re-ratifying the Proclamation of a Local Emergency related to the Alamo and Whittier Fire Emergency declared by the Director of Emergency Services on July 16, 2017, and initially ratified by the Board on July 18, 2017;
- 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. 17-220

b) Directed; and

c) Approved.

The motion carried by the following vote:

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

A-6) COUNTY EXECUTIVE OFFICE

17-00777

Consider recommendations regarding the 2017 Homeland Security Grant Program, as follows:

- a) Adopt a Resolution authorizing the County Executive Office, his/her Business Manager, the Director of Emergency Services and the Homeland Security Program Emergency Manager to apply and enter into a contract to accept a grant from the Federal Fiscal Year (FFY) 2017 Homeland Security Grant Program (HSGP) in the amount of \$525,312.00 on behalf of the Santa Barbara Operational Area;
- b) Direct staff to return to the Board with the grant as part of the Office of Emergency Management’s budget and work program request if the grant is awarded; and
- c) Determine that the proposed action is related to the creation of a government funding mechanism and other fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline section 15378 (b) (4) 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) Adopted.

RESOLUTION NO. 17-221

b) Directed; and

c) Approved.

The motion carried by the following vote:

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

A-7) COUNTY EXECUTIVE OFFICE

17-00787

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

A-8) COUNTY EXECUTIVE OFFICE[17-00788](#)

Consider recommendations regarding resources for Property tax Assessment Appeals, as follows:
(4/5 Vote Required)

- a) Approve Budget Revision Request No. 0005388 establishing appropriations of \$852,000 in General County Programs General Fund to increase Committed Assessment Appeals Support fund balance funded by release of Unassigned fund balance, and establishing appropriations of \$228,000 in County Counsel, \$71,000 in CEO, and \$74,000 in Clerk Recorder Assessor General Fund for Salaries & Benefits funded by a release of Committed Assessment Appeals Support fund balance; and
- b) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5) that the above action is not a project subject to CEQA review, because the action 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 Wolf, seconded by Supervisor Adam, that this matter be acted on as follows:

a) Approved Budget Revision Request. Directed staff to return in approximately six weeks on the Departmental Agenda with a status report on the current backlog of Assessment Appeals cases and to provide information to the Board as appropriate on the expenditure of funds and on the disposition of existing "complex" cases.

b) Approved.

The motion carried by the following vote:

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

A-9) GENERAL SERVICES[17-00775](#)

Consider recommendations regarding the Santa Ynez Valley Airport Improvement Program Grant 16 (AIP 16) Project No. 8763 and Construction Contract for Airfield Safety Grading and Vehicle Access Control Gates, Third District, as follows:

- a) Approve the plans and specifications for construction of the Santa Ynez Valley Airport AIP 16 project on file in the General Services Capital Projects office;
- b) Grant Souza Construction relief from their bid obligation in accordance with California Public Contracts Code section 5101, due to a mathematical error in completing their bid form;
- c) Approve and direct the Chair to execute the construction contract in the base amount of \$1,194,828.00 to the next lowest responsible bidder, G. Sosa Construction, Inc., subject to the provisions of the documents and certifications as set forth in the plans and specifications applicable to the project and as required by California Law;
- d) Authorize the Director of General Services to approve change orders in an amount not to exceed \$72,241.40 as authorized under California Public Contract Code Section 20142; and
- e) Find that the project was determined by your Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15301(c) on March 14, 2017, that a Notice of Exemption was filed on that basis, and that the above actions are within the scope of that Notice of Exemption.

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

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

The motion carried by the following vote:

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

A-10) PLANNING AND DEVELOPMENT

17-00780

Consider recommendations regarding the Garwen New Agricultural Preserve Contract, in the Santa Maria area, Fourth District, as follows:

- a) Approve and authorize the Chair to execute a new Agricultural Preserve Contract creating Agricultural Preserve, 17AGP-00000-00009, on a 79.09-acre legal parcel (comprised of APN 129-170-002), located approximately 900 feet south of the intersection of Dominion Road and Orcutt Garey Road, in the Santa Maria area;
- b) Adopt a Resolution creating Agricultural Preserve 17AGP-00000-00009;
- c) Authorize recordation by the Clerk of the Board; and
- d) Determine that the project is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15317.

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. 17-222

- c) Authorized; and**
- d) Approved.**

The motion carried by the following vote:

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

A-11) PLANNING AND DEVELOPMENT

17-00781

Consider recommendations regarding the Grubstake Agricultural Preserve Replacement Contract, Santa Maria area, Third District, as follows:

- a) Approve and authorize the Chair to execute Agricultural Preserve Replacement Contract 12AGP-00000-00011, a single preserve of 231.85-acres (APNs: 113-080-030 and -032), located approximately 400 yards east of the intersection of Brown Road and West Betteravia Road, in the Santa Maria area;
- b) Approve and authorize the Chair to execute contract creating Agricultural Preserve 12AGP-00000-00011;
- c) Authorize recordation by the Clerk of the Board; and
- d) Find that the proposed action 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).

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

a) and b) Approved and adopted; Chair to execute;

RESOLUTION NO. 17-223

c) Authorized;

d) Approved.

The motion carried by the following vote:

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

A-12) PUBLIC HEALTH

17-00778

Consider recommendations regarding a Sixth Amendment to the SUNRx 340B Prescription Drug Administrative Services Agreement, as follows:

a) Approve, ratify and authorize the Chair to execute the Sixth Amendment to the SUNRx Prescription Drug Administrative Services Agreement for the ongoing development and administration of a 340B Pharmacy Network administered by the Public Health Department. This amendment enables the Public Health Department to continue with Safeway as a 340B Contract Pharmacy, and to allow and account for the direct relationship with Safeway and to further clarify the obligations of SUNRx in this regard; and

b) Determine that execution of this Sixth Amendment is 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 action is an organizational or administrative activity 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) Approved and authorized; Chair to execute; and**
- b) Approved.**

The motion carried by the following vote:

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

A-13) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

17-00776

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) Authorize the Public Works Director to advertise and receive bids for the Lower Mission Creek Flood Control Project Reach 3 and the Lower Mission Creek Flood Control Project Reach 4;
- b) Determine that the Lower Mission Creek Flood Control Projects Reaches 3 and 4 shall be carried out and determine that it is for the benefit of one zone hereinafter referred to as a participating zone; 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 Acted on as follows:

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

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

The motion carried by the following vote:

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

A-14) PUBLIC WORKS[17-00748](#)

Consider recommendations regarding a Professional Services Agreement regarding preliminary documents for the San Ysidro Road at US 101 Interchange Improvement Project, County Project No. 740031, and Federal-Aid Project No. HPLUL - 6090(048), First District, as follows:

- a) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor for preliminary design and environmental services with T.Y. Lin International for a performance period from October 3, 2017 through October 3, 2020, and a base amount not to exceed \$395,442.63, for the San Ysidro Road at US 101 Interchange Improvement Project;
- b) Approve and authorize the Director of Public Works, or designee, to approve Agreement amendments within the scope of work in an amount not to exceed \$39,544.26 for a total Agreement amount up to and not to exceed \$434,986.89;
- c) Approve and authorize the Director of Public Works, or designee, to make immaterial changes to the Agreement in accordance with Section 36; and
- d) Find that the proposed contract does not constitute a "Project" within the meaning of the California Environmental Quality Act pursuant to 14 CCR 15378 (b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment), and approve and direct staff to file a Notice of Exemption on that basis.

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

Board of SupervisorsA-15) SUPERVISOR HARTMANN[17-00784](#)

Approve the appointment of Larry J. Hobbisiefken to the Housing Authority Board of Commissioners, filling an at-large position, term ending December 31, 2021.

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

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

Hearing Requests

A-16) HUMAN RESOURCES

[17-00783](#)

Set a hearing to consider recommendations regarding an amendment to the Ordinance Setting Compensation and Benefits for Members of the Santa Barbara County Board of Supervisors, as follows:

(Set a hearing for November 7, 2017. Time estimate: 15 minutes)

a) Approve the introduction (first reading) of an Ordinance which amends Ordinance 4980 setting compensation for members of the Board of Supervisors to:

i) Provide a 2.2% salary increase, consistent with the October 2016 Annual Indices of the Consumer Price Index - Urban (CPI-U) for the Los Angeles-Riverside-Orange County area, to be effective during Fiscal Year 2017-2018 and tie future, annual salary increases to the Consumer Price Index - Urban (October Annual Indices) from a minimum of 0% to a maximum of 3% each July; and

ii) Provide a 3.7% increase to the County contributions to health insurance for all Board members enrolled in and receiving County-sponsored health insurance effective sixty days after passage of the Ordinance, which is consistent with the increase all County employees will receive to the County contribution for health insurance;

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 14, 2017 to:

i) Consider and approve the adoption (second reading) of the Ordinance which amends Ordinance 4980 setting compensation and benefits for members of the Board of Supervisors to provide for a 2.2% salary increase as determined by the October 2016 Annual Indices CPI-U increase for the Los Angeles-Riverside-Orange County area and to provide a 3.7% increase to the County contribution to health insurance for all Board members enrolled in and receiving County-sponsored health insurance effective sixty days after passage of the Ordinance; and

ii) Determine that these activities are exempt from the California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15378(b)(4) since the recommended actions are government funding mechanisms or 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 set for a hearing, as follows: November 7, 2017 in Santa Barbara (EST. TIME: 15 MIN.).The motion carried by the following vote:

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

A-17) PLANNING AND DEVELOPMENT[17-00779](#)

Set a hearing to consider accepting the California Coastal Commission's certification with modifications of an amendment to the County's Local Coastal Program regarding the Eastern Goleta Valley Community Plan, Second District, as follows:

(Set a hearing for November 7, 2017. Time estimate: 45 minutes)

a) Receive and file the California Coastal Commission's certification with 13 suggested modifications of an amendment to the County's Local Coastal Program (Coastal Commission Case No. LCP-4-STB-17-0048-1 Eastern Goleta Valley Community Plan);

b) Adopt a Resolution acknowledging receipt of the California Coastal Commission's certification with suggested modifications, accepting and agreeing to the modifications, agreeing to issue Coastal Development Permits for the total area included in the certified Local Coastal Program, and adopting the Local Coastal Program Amendment with the suggested modifications;

c) Determine that the Board of Supervisors' action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15265; and

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

A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be set for a hearing, as follows: November 7, 2017 in Santa Barbara (EST. TIME: 45 MIN.). The motion carried by the following vote:

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

A-18) PUBLIC WORKS, PLANNING AND DEVELOPMENT[17-00782](#)

Set a hearing to consider the Revised Tajiguas Resource Recovery Project (TRRP) and Comprehensive Plan Amendment to the Waste Disposal Facility Overlay (Case Nos. 17GPA-00000-00002 and 17GOV-00000-00004), Third District, as follows:

(Set a hearing for November 7, 2017. Time estimate: 1 hour 30 minutes)

a) Make the required findings of approval of the Comprehensive Plan Amendment specified in the Board Agenda Letter, including California Environmental Quality Act findings;

- b) After considering the environmental review documents (Revised Addendum to the Subsequent EIR) together with Subsequent EIR No. 12EIR-00000-00002, SCH No. 2012041068 certified by the Board of Supervisors on July 12, 2016 and Subsequent EIR Revision Letter and Errata dated May 27, 2016), find that no subsequent environmental review document shall be prepared pursuant to the California Environmental Quality Act Guidelines Section 15162 related to the Revised Tajiguas Resource Recovery Project, since there are no substantial changes proposed in the project and no substantial changes have occurred with respect to the circumstances under which the project is undertaken that will require major revisions to the EIR due new or substantially increased significant impacts or impacts to new or previously analyzed mitigation measures or alternatives that would substantially reduce significant impacts;
- c) Receive the Planning Commission's conformity report required by Government Code Section 65402(a). The Planning Commission's staff report, dated August 14, 2017, and the Planning Commission Action letter for the hearing held on August 30, 2017 constitute the required report;
- d) Adopt a Resolution amending the Comprehensive Plan (17GPA-00000-00002), including amending the Tajiguas Landfill "Waste Disposal Facility Overlay" boundary to eliminate approximately 55.55 acres not needed for the solid waste disposal operations and to include approximately 4.48 acres to encompass permitted operational areas under the approved Solid Waste Facility Permit for the Tajiguas Resource Recovery Project and Sanitary Landfill and accommodate construction of the Revised Tajiguas Resource Recovery Project;
- e) Approve and authorize the Chair to execute the Second Amendment to the Amended Contract between the County of Santa Barbara and MSB Investors, LLC for Development and Operation of the Revised Tajiguas Resource Recovery Project (including the optional element) addressing changes to the Revised Tajiguas Resource Recovery Project;
- f) Authorize the Treasurer-Tax Collector to sign and submit an application to the Internal Revenue Service for an allocation of New Clean Renewable Energy Bond Volume Cap for the Revised Tajiguas Resource Recovery Project and submit any additional information or supporting documentation requested; and
- g) Direct the Public Works Department and Treasurer-Tax Collector working with County Executive Office, Auditor Controller, and County Counsel to update the necessary documents to finance the construction of the project.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Wolf, that this matter be set for a hearing, as follows: November 7, 2017 in Santa Barbara (EST. TIME: 1 HR. 30 MIN.).The motion carried by the following vote:

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

Honorary Resolutions

A-19) SUPERVISOR WOLF [17-00786](#)

Adopt a Resolution of Commendation honoring Susan Slattery upon her retirement from the Auditor-Controller’s Department after 21 years of faithful and dedicated service to the people who work and live in Santa Barbara County.

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

RESOLUTION NO. 17-224

The motion carried by the following vote:

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

A-20) SUPERVISOR HARTMANN [17-00785](#)

Adopt a Resolution proclaiming the week of October 21, 2017 through October 28, 2017 as Flood Preparedness Week in Santa Barbara County.

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

RESOLUTION NO. 17-225

The motion carried by the following vote:

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

Resolution to be Presented

A-21) SUPERVISOR WILLIAMS

[17-00790](#)

Adopt a Resolution proclaiming October 23, 2017 through October 31, 2017 as Red Ribbon Week in Santa Barbara County.

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

RESOLUTION NO. 17-226

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, 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) (17-00001)

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: Conservatorship - Lynda Ente, Elizabeth Williams and Bryan Rosen addressed the Board.

Re: Government Accountability and Corruption - Kate Smith addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) **PLANNING AND DEVELOPMENT** **17-00586**

HEARING - Consider recommendations regarding 1) Case No. 17APL-00000-00002, the Olsten Trust Appeal of the Montecito Planning Commission’s April 18, 2017 conditional de novo design review approval of the Olsten Trust Single-Family Dwelling Demo-Rebuild, New Detached Garage, Cabaña and Pool (Case No. 14BAR-00000-00082), and 2) Case No. 17APL-00000-00003, the Hair and Sturgess Appeal of the Montecito Planning Commission’s April 18, 2017 denial of the Hair/Sturgess Appeal (Case No. 16APL-00000-00026) and de novo design review approval of the Olsten Trust Single-Family Dwelling Demo-Rebuild, New Detached Garage, Cabaña and Pool (Case No. 14BAR-00000-00082), First District, as follows:

- a) Approve in part and deny in part, the Olsten appeal, Case No. 17APL-00000-00002;
- b) Approve in part and deny in part, the Hair/Sturgess appeal, Case No. 17APL-00000-00003;
- c) Make the required findings for design review approval of the project, including the California Environmental Quality Act (CEQA) findings; and
- d) Grant de novo design review approval of the project, Case No. 14BAR-00000-00082, modified since the Montecito Planning Commission action and as agreed upon by both parties.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: CONTINUE TO 12/5/2017

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

December 5, 2017 in Santa Barbara.

The motion carried by the following vote:

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

2) GENERAL SERVICES[17-00752](#)

HEARING - Consider recommendations regarding the Arbitrator's Opinion and Award (Revised on Remand) dated March 13, 2017 as to Awards 5, 7, 8, and 13 (previously known as Awards 4, 6, 7, and 12) in the matter of arbitration between Nomad Village Mobile Home Homeowners and Nomad Village Mobile Home Park, pursuant to Rule 23 of the Mobilehome Rent Control Rules for Hearings and Chapter 11A, Section A-4 of the Santa Barbara County Code, Second District, as follows: (EST. TIME: 1 HR.)

a) Make the following determinations as supported by the findings;

i) Find that the Arbitrator did not abuse his discretion and affirm Award No. 5 related to amortization over the useful life of the capital expense;

ii) Find that the Arbitrator did not abuse his discretion and affirm Award No. 7 related to professional fees for services associated with the capital expenses and improvements;

iii) Find that the Arbitrator did not abuse his discretion and affirm Award No. 8 related to professional fees for services associated with capital improvements; and

iv) Find that the Arbitrator did not abuse his discretion and affirm Award No. 13 related to the permanent rent increase of \$25.59 and the temporary rent increase of \$39.44;

b) Determine that the proposed action 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), approve and direct staff to file and post a Notice of Exemption on that basis; and

c) Refer back to Staff if the Board wishes to take any action other than the recommended action for a revised motion and findings.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:10 PM - 1:57 PM (47 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Approved procedural motion as follows:

In accordance with Rules 13 and 23(b) of the Mobilehome Rent Control Rules for Hearings, the Board limits its review of the Arbitrator's decision to the paper record alone attached to the Board Agenda Letter dated October 17, 2017 as further detailed in that Board Agenda letter, which consists of portions of Attachments 1 through 5. The Board will not consider any new evidence, and received oral argument and Brown Act public comment as argument that focuses on evidence that is already contained in the record, rather than as new evidence.

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, and Supervisor Adam

Absent: 1 - Supervisor Lavagnino

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

Trailed matter until 1:00 P.M.

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, and Supervisor Adam

Absent: 1 - Supervisor Lavagnino

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

a) i through iv) Approved.

b) Approved.

c) No further action taken.

The motion carried by the following vote:

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

Noes: 2 - Supervisor Williams, and Supervisor Wolf

3) PLANNING AND DEVELOPMENT

17-00753

HEARING - Consider the recommendations of the County Planning Commission to approve Case No. 17ORD-00000-00007 which would amend Article X, Medical Marijuana Regulations, of Chapter 35, Zoning, of the Santa Barbara County Code to terminate the exemption from the prohibition of medical marijuana cultivation for medical marijuana cultivation locations that existed as of January 19, 2016, and to include a process to determine whether such medical marijuana cultivation locations are considered as legal, nonconforming operations, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Make the findings for approval, including California Environmental Quality Act (CEQA) findings, of the proposed Ordinance;
- b) Determine that the adoption of this Ordinance is categorically exempt from CEQA pursuant to Section 15061(b)(3) of the Guidelines for Implementation of State CEQA; and
- c) Adopt an Ordinance (Case No. 17ORD-00000-00007) amending Article X, Medical Marijuana Regulations, of Chapter 35, Zoning, of the Santa Barbara County Code.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 1:58 PM - 3:52 PM (1 HR. 54 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:

a) through c) No action taken.

Directed staff to return to the Board on November 14, 2017 with options for a land use/planner consult process, non-appealable if possible and for factual response letters on the status of existing medical cannabis cultivations that could be provided by the County, after consultation with the State.

The motion carried by the following vote:

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

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

Directed staff to return on November 14, 2017 with options for the amortization period.

The motion carried by the following vote:

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

4) SUPERVISOR WILLIAMS, SUPERVISOR HARTMANN [17-00756](#)

HEARING - Consider recommendations regarding a Memorandum of Agreement between Santa Barbara County and the Santa Ynez Band of Chumash Indians Regarding Camp 4, as follows: (EST. TIME: 2 HR. 30 MIN.)

- a) Approve and authorize the Chair to execute a Memorandum of Agreement with the Santa Ynez Band of Chumash Indians regarding “Camp 4”;
- b) In accordance with the terms of the Memorandum of Agreement, authorize and direct the Chair to sign letters of support for H.R. 1491, in the form of Exhibit B to the Memorandum of Agreement;
- c) Provide other direction to the Ad Hoc Subcommittee on Tribal Matters and staff as deemed appropriate; and
- d) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) and 15378(b)(5) that the above actions are not a project subject to CEQA review and direct staff to file a Notice of Exemption.

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

October 31, 2017 in Santa Barbara.

The motion carried by the following vote:

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

Adjourned at 3:53 PM

Adjourned to

Tuesday, October 31, 2017

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 17, 2017 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, October 19, 2017, at 5:00 PM and on Saturday, October 21, 2017, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>