

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



*one* COUNTY | *one* FUTURE

*First District - Das Williams, Chair*  
*Second District - Laura Capps*  
*Third District - Joan Hartmann*  
*Fourth District - Bob Nelson*  
*Fifth District - Steve Lavagnino, Vice Chair*

*Mona Miyasato, County Executive Officer*

**Action Summary**

**Tuesday, March 14, 2023**

**9:00 AM**

**JOSEPH CENTENO BETTERAVIA GOVERNMENT  
ADMINISTRATION BUILDING, BOARD HEARING ROOM  
511 EAST LAKESIDE PARKWAY, SANTA MARIA**

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

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

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

**Roll Call**

**Present:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

**Pledge of Allegiance**

**Approval of Minutes of the March 7, 2023 Meeting**

**A motion was made by Supervisor Hartmann, seconded by Supervisor Nelson, to approve the minutes. The motion carried by the following vote:**

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

**County Executive Officer's Report**

**[23-00001](#)**

County Executive Officer’s Report: Receive a report from the County Executive Officer (CEO) on County programs, County staff updates and achievements, staff recognitions, updates on major projects, updates on state and federal legislation, and upcoming events of interest to the Board and the public. There will be no Board discussion except to ask questions or refer matters to staff; and no action will be taken unless listed on a subsequent agenda.

**The County Executive Officer, Mona Miyasato announced the closing of the public comment period for the Housing Element and directed members of the public to visit [countyofsb.org](http://countyofsb.org) for further information.**

**Office of Emergency Management Director Kelly Hubbard, Fire Chief Mark Hartwig, Sheriff Bill Brown, and Deputy Director of Water Resources Walter Rubalcava provided an update on the March 14, 2023 storm event.**

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

**Closed Session**

**23-00248**

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

Michelle Crane v. County of Santa Barbara et al., Santa Barbara County Superior Court case number 22CV00267.

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

Significant exposure to civil litigation: 1 case, based on these “facts and circumstances:”

The Central Coast Regional Water Quality Control Board and State Water Resources Control Board Office of Enforcement are examining amending Administrative Civil Liability Complaint No. R3-2021-0097 to include the County of Santa Barbara as a prior landowner of 2936 Industrial Parkway in Santa Maria, the former site of the Semco Twist Drill and Tool Company.

**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 DEPARTMENT 23-00231

Consider recommendations regarding an agreement with Idea Engineering, Inc. for Fiscal Years (FY) 2022-2024, as follows:

- a) Approve, ratify, and authorize the Chair to execute an Agreement for Services of Independent Contractor with Idea Engineering, Inc. for the development of countywide mental health and substance use stigma and discrimination reduction materials, a license to the “STAY” suicide prevention Turn-Key media campaign package, and research and development of a media plan for the County for a total Maximum Contract Amount not to exceed \$621,435.00 for the period of March 1, 2023 through June 30, 2024;
- b) Delegate to the Director of the Department of Behavioral Wellness or designee the authority to authorize use of County’s name or logo or any variation of such name or logo in any publicity, advertising or promotional materials required to provide services to County under the Agreement per Section 12 of the Agreement; suspend, delay, or interrupt services under the Agreement for convenience per Section 20 of the Agreement; and make immaterial changes to the Agreement per Section 26 of the Agreement, all without altering the Maximum Contract Amount and without requiring the Board’s approval of an amendment of the Agreement, subject to the Board’s ability to rescind this delegated authority at any time; and
- c) Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project, which may result in a potentially significant physical impact on the environment, and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be continued, as follows: April 4, 2023 in Santa Barbara. The motion carried by the following vote:**

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-2) BEHAVIORAL WELLNESS DEPARTMENT[23-00232](#)

Consider recommendations regarding approval to adopt revised Resolutions authorizing the Department of Behavioral Wellness Director to act on behalf of the County in connection with the award of No Place Like Home (NPLH) Round 3 and Round 4 non-competitive funds, as follows:

a) Adopt a revised Resolution that:

i) Authorizes and directs the County's submission of a joint application with Sanctuary Centers of Santa Barbara, Inc. (Sanctuary) as developer-borrower to the California Department of Housing and Community Development (State HCD) for NPLH Round 3 Noncompetitive Allocation funds for the proposed development of supportive affordable housing at 115 W. Anapamu Street, Santa Barbara, California (APN 039-222-002); and

ii) Authorizes and directs the Director of the Department of Behavioral Wellness or designee to act on behalf of the County in connection with the award of NPLH Round 3 Noncompetitive Allocation funds;

b) Adopt a revised Resolution that:

i) Authorizes and directs the County's submission of a joint application with Surf Development Company as developer and Cypress and 7th, L.P. as borrower, to the State HCD for NPLH Round 4 Noncompetitive Allocation funds for the proposed development of a supportive affordable housing project at 1401 East Cypress Avenue, Lompoc, California (APN 085-150-089); and

ii) Authorizes and directs the Director of the Department of Behavioral Wellness or designee to act on behalf of the County in connection with the award of NPLH Round 4 Noncompetitive Allocation funds;

c) Approve and authorize the Director of the Department of Behavioral Wellness or designee to execute on behalf of the County a Standard Agreement with State HCD and any subsequent amendments or modifications thereto, as well as any other documents which are related to the NPLH program or the NPLH program funds awarded to the County, as State HCD may deem appropriate;

d) Direct the Director of the Department of Behavioral Wellness or designee to return to the Board for further direction prior to exercising the authority deleted pursuant to Recommended Actions A, B, and C; and

e) Determine that the recommended actions:

i) Are not a project subject to California Environmental Quality Act (CEQA) pursuant to: CEQA Guidelines section 15378(b)(4), finding that the actions are the creation of a governmental funding mechanism or other government fiscal activity, which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; and Public Resources Code section 21163.1, which states that a decision by a public agency to seek funding from the NPLH Program does not constitute a “project”; and

ii) Are otherwise within the scope of the Notice of Exemption (NOE) adopted by the City of Santa Barbara and posted by the Santa Barbara County Clerk of the Board on December 15, 2020, in which the City found that Sanctuary’s proposed development is exempt from CEQA pursuant to CEQA Guidelines section 15332 because it consists of an Infill Development Project.

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

**a) i) and ii) Adopted;**

**RESOLUTION NO. 23-38**

**b) i) and ii) Adopted;**

**RESOLUTION NO. 23-39**

**c) Approved and authorized;**

**d) Directed; and**

**e) i) and ii) Approved.**

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

**Ayes:**        5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-3) BEHAVIORAL WELLNESS DEPARTMENT

23-00230

Consider recommendations regarding the Tulare County Office of Education, Tulare County Superintendent of Schools Agency Agreement Friday Night Live (FNL) Program Services, Fiscal Year (FY) 2022-2023, as follows:

- a) Approve, ratify, and authorize the Director of the Department of Behavioral Wellness, or designee, to execute the Tulare County Superintendent of Schools Agency Agreement No. 230325 with the Tulare County Office of Education, who is serving as manager of the California Friday Night Live Partnership (CFNLP) on behalf of the County Superintendent of Schools, for the provision of FNL Program services in the amount of \$55,000.00 for the period of July 1, 2022 through June 30, 2023;
- b) Delegate authority to the Director of the Department of Behavioral Wellness, or designee, to act on behalf of the County in the implementation of the FNL Program and make immaterial changes to the Agreement without requiring the Board’s approval of an amendment of the Agreement, subject to the Board’s ability to rescind this delegated authority at any time; and
- c) Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines.

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

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

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-4) COMMUNITY SERVICES DEPARTMENT

23-00220

Consider recommendations regarding a Subrecipient Agreement for an Emergency Housing Voucher Program of Homeless Housing, Assistance and Prevention (HHAP) Funds for Good Samaritan Shelter, as follows:

- a) Approve, authorize, and ratify the Chair to execute a sub-recipient agreement for the distribution of State of California HHAP Round III funding from the Santa Maria/Santa Barbara Continuum of Care allocations with Good Samaritan Shelter in the amount of \$1,333,619.00; and
- b) Determine that the 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)(5) and 15378(b)(4), finding that the recommended actions consist of administrative or fiscal activities of governments that will not result in direct or indirect physical changes in the environment.

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

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

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

**Ayes:**        5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-5) COMMUNITY SERVICES DEPARTMENT[23-00221](#)

Consider recommendations regarding a Second Amendment to the Agreement with Rincon Consultants, Inc. for Climate Action Planning Services, as follows:

a) Approve and authorize the Chair to execute the Second Amendment to the Agreement with Rincon Consultants, Inc., for climate action planning services to extend the term through December 31, 2023; and

b) Determine that the above recommended actions are government fiscal activities, which do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, 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 Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-6) COMMUNITY SERVICES DEPARTMENT[23-00224](#)

Consider recommendations regarding Approval of a Sub-Recipient Agreement for COVID-19 Housing and Homelessness Recovery Plan Using American Rescue Plan Act of 2021 (ARPA) Funds, as follows:

a) Approve and authorize the Chair to execute a Subrecipient Agreement for the distribution of ARPA funding for COVID-19 Recovery in Housing and Homelessness with Good Samaritan Shelter (GSS), subject to annual appropriations and budget approval, for an amount not to exceed \$2,038,760.00 for Operations and Services of DignityMoves Interim Supportive Temporary Emergency Housing Santa Barbara Project (Subrecipient Agreement); and

b) Determine that the above recommended actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4) as the actions involve the creation of government funding mechanisms or other government fiscal activities which do not involve a commitment to any specific project which may result in a potentially significant physical impact on the environment.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, 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 Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-7) COUNTY EXECUTIVE OFFICE [23-00222](#)

Approve Budget Revision Request No. 0008763 (Majority Vote Required); and Budget Revision Request No. 0008602 (4/5 Vote Required).

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-8) FIRST 5 SANTA BARBARA COUNTY CHILDREN AND FAMILIES COMMISSION [23-00225](#)

Consider recommendations regarding a Subrecipient Agreement with United Way of Santa Barbara County, Inc. for childcare sector recovery and resiliency services, as follows:

- a) Approve, ratify, and authorize the Chair to execute a Subrecipient Agreement with United Way of Santa Barbara County, Inc. for the provision of American Rescue Plan Act (ARPA)-funded childcare sector recovery and resiliency services for a total maximum agreement amount not to exceed \$1,000,000.00 for the period of March 15, 2023 through June 30, 2025; and
- b) Determine that the above action is a government funding mechanism or other government fiscal activity, which does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment and is therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

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

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

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

**A-9) GENERAL SERVICES DEPARTMENT**

**23-00229**

Consider recommendations regarding a Collective Cultures Creating Change (C4) Agreement for Use of the Third District Office at Lompoc Veterans Memorial Building, Third District, as follows:

- a) Approve and authorize the Chair to execute a License Agreement between the County of Santa Barbara and C4 Lompoc a California non-profit public benefit corporation, for the use of certain rooms in the Lompoc Veterans Memorial Building located at 100 E. Locust Avenue in Lompoc (License Areas) and unreserved parking for an initial license period of six (6) months with automatic renewal for three (3) consecutive one-year Extension Periods (License Agreement); and
- b) Find that the proposed actions are exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301 “Existing Facilities”, finding that the CEQA Existing Facilities’ exemption at Section 15301 allows for use that will not involve any expansion of use beyond that existing at the time of the lead agency’s determination, and approve and direct staff to file and post a Notice of Exemption on that basis.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, 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 Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

**A-10) GENERAL SERVICES DEPARTMENT****23-00227**

Consider recommendations regarding the County of Santa Barbara Emergency Operations and Regional Fire Communications Center Project No. 19005, Second District, as follows: (4/5 Vote Required)

- a) Approve the plans and specifications for construction of the Emergency Operations and Regional Fire Communications Center Project (Project) on file in the General Services Capital Projects office;
- b) Approve and direct the Chair to execute the Construction Contract (Contract) in the base amount of \$13,871,556.00 to the lowest responsible bidder, Edwards Construction Group, 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;
- c) Authorize the General Services Director or designee to approve individual change orders for up to \$210,000.00 each, up to an aggregate amount of \$706,078.00, for the construction of the Project, for a maximum aggregate Project amount of \$14,577,634.00, as authorized under California Public Contract Code Section 20142;
- d) Approve Budget Revision Request No. 0008761, to provide the funds needed for the Project; and
- e) Find that the proposed Project falls within the scope of the previously filed Notice of Exemption and is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. This Project qualifies for the exemption per Section 15301(e)(2), and the requirements of 15301(e)(2)(A) and (B) are met.

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

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

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-11) HUMAN RESOURCES DEPARTMENT[23-00223](#)

Consider recommendations regarding Engineer and Technicians Association (ETA), Equity Adjustments, as follows:

- a) Effective March 20, 2023, approve the Tentative Agreement between the County and the ETA for equity wage adjustments that range between .25% and 2% for certain classifications with salaries that are between .71% and 4.75% below market in base pay; and
- b) Determine pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) that the above action is a government fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and therefore is not a project subject to environmental review.

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

**a) and b) Approved.**

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-12) PLANNING AND DEVELOPMENT DEPARTMENT[23-00218](#)

Consider recommendations regarding the 2022 Comprehensive Plan Annual Progress Report, as follows:

- a) Receive and file the 2022 Comprehensive Plan Annual Progress Report; and
- b) Determine that the annual progress report is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5).

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

**a) Received and filed; and**

**b) Approved.**

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-13) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT 23-00219

Consider recommendations regarding a Public Works Director's Report on Emergency Response Actions from Impacts of Flooding and Storms and the Continuation of Emergency Actions, as follows: (4/5 vote required)

Acting as the Board of Supervisors and 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. 19-327 and Public Contract Code Section 22050 related to emergency operations responding to flooding, storms, debris removal and transportation projects following the recent storm events 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 actions 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 actions are terminated;

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

- d) Determine that these emergency actions were found by the Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15269(c) on January 24, 2023. A Notice of Exemption was filed on this basis on January 24, 2023, and the proposed action is within the scope of that Notice of Exemption; and

Acting as the Board of Supervisors:

- e) Determine that these emergency actions were found by the Board to be exempt from the provisions of the CEQA pursuant to State CEQA Guidelines Section 15269(d) on February 7, 2023. A Notice of Exemption was filed on this basis on February 7, 2023, and the proposed action is within the scope of that Notice of Exemption.

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

Acting as the Board of Supervisors and Board of Directors, Flood Control and Water Conversation:

a) Received and reviewed;

b) Approved;

c) Directed;

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

d) Approved; and

Acting as the Board of Supervisors:

e) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-14) PUBLIC WORKS DEPARTMENT

[23-00226](#)

Consider recommendations regarding Statements of Final Quantities for Fernald Point Lane Bridge Replacement at Romero Creek, New Bridge No. 51C-0362; 2018 Thomas Fire Debris Flow Repairs and Culvert No. 305 Replacement on Brooktree Road, Constellation Road Pavement Rehabilitation, Project Nos. 862330, 18107C/820763 and 820773, First and Fourth Districts, as follows:

a) Approve and authorize the Chair to execute the Statements of Final Quantities for the following projects:

i) Fernald Point Lane Bridge Replacement, Project No. 862330;

ii) 2018 Storm Damage Repair on Brooktree Road, Project No. 18107C/820763; and

iii) Constellation Road Pavement Rehabilitation, Project No. 820773; and

b) Determine that the Statements of Final Quantities is an administrative activity for the above projects and were found by the Board to be exempt from the provisions of California Environmental Quality Act pursuant to State Guidelines Section 15378 (b) (5); “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.” This exemption considers all future administrative activities for these projects such as Statement of Final Quantities.

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

**a) i) through iii) Approved and authorized; Chair to execute; and**

**b) Approved.**

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

**A-15) PUBLIC WORKS DEPARTMENT**

**23-00228**

Consider recommendations regarding South and Central Pavement Rehabilitation for Fiscal Year 2022-2023, County Project No. 820739S, First, Second, Third, and Fourth Districts, as follows:

- a) Approve the specifications and plans on file in the Public Works Department office, for construction of the Fiscal Year 2022-2023 South and Central County Pavement Rehabilitation;
- b) Award the construction contract in the amount of \$4,060,540.00 to the lowest responsible bidder, Granite Construction, 5335 Debbie Lane, Santa Barbara, CA 93111, subject to the provision of documents and certifications, as set forth in the specifications applicable to the project, as required under California Law;
- c) Authorize the Director of Public Works or designee to approve change orders for a contingency amount up to \$241,027.00 and supplemental items of \$510,000.00, for the construction of County Project No. 820739S for a total not to exceed authorization of \$4,811,567.00;
- d) Approve and authorize the Chair to execute the construction contract, that has been reviewed and approved by County Counsel, Auditor-Controller and Risk Manager, or their authorized representatives; 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 May 31, 2022 (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 that Notice of Exemption.

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

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

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

**A-16) SHERIFF-CORONER OFFICE [23-00233](#)**

Consider recommendations regarding authorizing the County Executive Office, or designee, to execute the U.S. Department of Justice (DOJ) Equitable Sharing Agreement and Certification (ESAC) on behalf of the Board on an ongoing basis, as follows:

- a) Approve and authorize the County Executive Officer, or designee to execute the U.S. DOJ ESAC on behalf of the County on an ongoing basis, subject to the Board's ability to rescind this delegated authority at any time: and
- b) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines 15378(b) (5) that the above actions are not a project subject to CEQA review, because it is a government administrative activity that does not result in direct or indirect physical changes to the environment.

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

**Board of Supervisors**

A-17) SUPERVISOR NELSON

23-00160

Consider recommendations regarding the Boards of Architectural Review Jurisdictional Alignment, as follows:

- a) Consider the adoption (second reading) of an Ordinance amending Chapter 2, Article V, Section 2-33.2 of the Santa Barbara County Code; and
  
- b) Determine that the adoption of this Ordinance is not a project subject to the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b), as it consists of an organizational activity that will not result in direct or indirect physical changes in the environment.

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

**a) Adopted; and**

**ORDINANCE NO. 5174**

**b) Approved.**

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

**Ayes:**        5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

**Hearing Requests**

**A-18) PLANNING AND DEVELOPMENT DEPARTMENT**

**23-00216**

Set a hearing to consider recommendations regarding Case No. 23APL-00001 and 23APL-00002, appeals by Scott Smigel and Bruce Mackenzie of the Planning Commission’s December 14, 2022, approval of the Highway 101 Widening Project, Segment 4D (Case No. 21DVP-00000-00022, 21CDP-00000-00076), First District, as follows:  
(Set a hearing for April 4, 2023. Time estimate: 1 hour 45 minutes)

- a) Deny the appeals, Case No. 23APL-00001, 23APL-00002;
- b) Make the required findings for approval of the project, Case Nos. 21DVP-00000-00022 and 21CDP-00000-00076, including the California Environmental Quality Act (CEQA) findings;
- c) Consider the environmental effects of the project as shown in the Environmental Impact Report (EIR) dated August 26, 2014, the Revised EIR dated October 27, 2017, the EIR Addendums dated June 1, 2018, May 3, 2020, May 5, 2021, and February 2022 prepared and certified by Caltrans, the lead agency, and determine that as reflected in the CEQA findings, no subsequent EIR or Negative Declaration shall be prepared for this project; and
- d) Grant de novo approval the project, Case Nos. 21DVP-00000-00022 and 21CDP-00000-00076, subject to the conditions of approval.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be set for a hearing, as follows: April 4, 2023 in Santa Barbara (EST. TIME 1 HR. 45 MINS.). The motion carried by the following vote:**

**Ayes:**            5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-19) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, LAGUNA 23-00217  
COUNTY SANITATION DISTRICT

Set a hearing to consider recommendations regarding Laguna County Sanitation District Ordinance relative to service charges, connection charges, and trunk sewer fees and a Resolution relative to the collection of service charges on the tax roll; Fourth and Fifth Districts, as follows:  
(Set a hearing for May 9, 2023. Time estimate: 15 minutes)

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

- a) Receive and file with the Clerk of the Board the fixed charge report for Fiscal Year 2023-2024;
- b) Approve the introduction (First Reading) of an Ordinance Amending Ordinance Nos. 3130 and 4142 to change the annual service charge, connection charge, and the Dutard-Solomon, and Bradley-Solomon trunk sewer fees;
- c) Read title: “An Ordinance of the Laguna County Sanitation District Amending Ordinance No. 3130 Adopted November 19, 1979, Which Established Service Charges, Connection Charges, and Other Rules and Regulations as Amended by Ordinance No. 4142 Adopted December 9, 1993 Establishing Trunk Sewer Fees. This Amending Ordinance Changes the Annual Service Charge and Connection Charge for Single Family and Duplex Dwelling Units, Apartments, Condominiums, Trailer Spaces, Mobile Homes and Non-residential Development; and also Changes the Dutard-Solomon and Bradley-Solomon Trunk Sewer Fees,” and waive reading of the Ordinance in full;
- d) Direct the Clerk to count and report the number of written protests and if no majority protest:
  - i) Set a hearing on the Administrative Agenda for May 16, 2023 to consider recommendations, as follows:
    - 1) Consider the adoption (Second Reading) of an Ordinance Amending Ordinance Nos. 3130 and 4142 to change the annual service charge, connection charge, and the Dutard-Solomon and Bradley Solomon trunk sewer fees;
    - 2) Consider the adoption of a Resolution authorizing the collection of said charges on the tax roll; and

3) Determine that the above actions are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15273(a)(1), (2), (3), and (4) of the State CEQA Guidelines because they are modifications of service charges, connection charges, and trunk line fees for the purposes of meeting operating and capital expenses, as well as for meeting financial reserve needs required to maintain services within this existing service area, and the modifications in charges and fees are not for the construction of capital projects for the expansion of the service system and approve the filing of a Notice of Exemption on that basis; or

e) If majority protest, take no action and provide direction to staff.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be set for a hearing, as follows: May 9, 2023 in Santa Maria (EST. TIME 15 MINS.). The motion carried by the following vote:**

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

**Honorary Resolutions**

A-20) SUPERVISOR WILLIAMS, SUPERVISOR HARTMANN [23-00237](#)

Adopt a Resolution proclaiming March 10, 2023 as Tibet Day in Santa Barbara County.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.**

**RESOLUTION NO. 23-40**

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-21) SUPERVISOR WILLIAMS [23-00241](#)

Adopt a Resolution of Commendation honoring Chief Executive Officer Tom Habashi upon his retirement from Central Coast Community Energy.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.**

**RESOLUTION NO. 23-41**

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-22) SUPERVISOR WILLIAMS [23-00234](#)

Adopt a Resolution of Commendation honoring Alan Hammel of the Child Support Services Department as the March 2023 Employee of the Month in Santa Barbara County.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.**

**RESOLUTION NO. 23-42**

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

**Resolutions to be Presented**

A-23) SUPERVISOR CAPPS [23-00235](#)

Adopt a Resolution proclaiming March 14, 2023 as Arbor Day in Santa Barbara County.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.**

**RESOLUTION NO. 23-43**

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-24) SUPERVISOR HARTMANN [23-00238](#)

Adopt a Resolution of Commendation honoring Michael Allen upon his retirement from the Department of Behavioral Wellness after over 25 years of faithful and distinguished service to the citizens of Santa Barbara County.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.**

**RESOLUTION NO. 23-44**

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-25) SUPERVISOR HARTMANN [23-00240](#)

Adopt a Resolution of Commendation honoring Michael A. Villalobos upon his retirement from the Public Works Department after over 26 years of faithful and distinguished service to the citizens of Santa Barbara County.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.**

**RESOLUTION NO. 23-45**

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-26) SUPERVISOR LAVAGNINO [23-00239](#)

Adopt a Resolution of Commendation honoring Glenn A. Sweany upon his retirement from the Public Works Department after over 37 years of faithful and distinguished service to the citizens of Santa Barbara County.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.**

**RESOLUTION NO. 23-46**

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-27) SUPERVISOR LAVAGNINO [23-00236](#)

Adopt a Resolution of Commendation honoring Kurtis J. Klucker upon his retirement from the Public Works Department after over 37 of faithful and distinguished service to the citizens of Santa Barbara County.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.**

**RESOLUTION NO. 23-47**

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-28) SUPERVISOR LAVAGNINO [23-00243](#)

Adopt a Resolution of Commendation honoring Carolyn Mausley upon her retirement from the Social Services Department after over 33 years of faithful and distinguished service to the citizens of Santa Barbara County.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.**

**RESOLUTION NO. 23-48**

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-29) SUPERVISOR LAVAGNINO [23-00242](#)

Adopt a Resolution of Commendation honoring Chief Deputy District Attorney Mag Nicola upon his retirement from the District Attorney’s Office after over 29 years of faithful and distinguished service to the citizens of Santa Barbara County.

**A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be adopted.**

**RESOLUTION NO. 23-49**

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

[23-00002](#)

**Public 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) (23-00002)*

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

**No requests to speak.**

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

1) COUNTY EXECUTIVE OFFICE 23-00244

HEARING - Consider recommendations regarding Fiscal Year (FY) 2022-2023 Second Quarter Budget Status Report and Cannabis Taxation, Compliance and Enforcement Update, as follows:  
(EST. TIME: 30 MIN.)

a) Receive and file the FY 2022-2023 Second Quarter Budget and Status Report as of December 31, 2022, showing the status of appropriations and financing for departmental budgets adopted by the Board of Supervisors; and

b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA), because pursuant to Sections 15378(b)(4) and 15378(b)(5) the recommended actions consist of organizational, administrative, or fiscal activities of government that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

*HEARING TIME: 10:31 AM - 11:46 AM (1 HR. 15 MIN.)*

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

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

**a) Received and filed; and**

**b) Approved.**

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

**Ayes:** 4 - Supervisor Williams, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

**Noes:** 1 - Supervisor Capps

2) COUNTY EXECUTIVE OFFICE

23-00246

HEARING - Consider recommendations regarding Roads Fiscal Review and Long-term Funding Options, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file a report on the fiscal status of Roads Operations Fund 0015;
- b) Approve three staff-recommended long-term funding measures, including establishing a budget policy related to Measure A funding, increasing general fund contribution in the Fiscal Year (FY) 2023-2024 Recommended Budget to cover liability insurance rate increases, and returning to the Board for consideration of permit fee increases;
- c) Provide other direction as appropriate; and
- d) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA), because pursuant to Sections 15378(b)(4) and 15378(b)(5) the recommended actions consist of organizational, administrative or fiscal activities of government that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

*HEARING TIME: 11:48 AM - 12:15 PM (27 MIN.)*

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

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

- a) Received and filed;**
- b) Approved;**
- c) No action taken; and**
- d) Approved.**

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

**Ayes:** 5 - Supervisor Williams, Supervisor Capps, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

**Adjourned at 12:47 PM**

**Adjourned to**

**Tuesday, March 21, 2023**

**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, March 14, 2023 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, March 16, 2023, at 5:00 PM and on Saturday, March 18, 2023, at 10:00 AM on CSBTV Channel 20.*

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