

County of Santa Barbara
BOARD OF SUPERVISORS



First District - Das Williams
Second District - Gregg Hart, Vice Chair
Third District - Joan Hartmann
Fourth District - Peter Adam
Fifth District - Steve Lavagnino, Chair

Mona Miyasato, County Executive Officer

Agenda

Tuesday, August 20, 2019

9:00 AM

**COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 E. 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.

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

Persons may address the Board of Supervisors in person or by using the remote video testimony system located at the County Administration Building, Board Hearing Room, Fourth Floor, 105 East Anapamu Street, in Santa Barbara or at the Betteravia Government Center, Board of Supervisors' Conference Room, 511 East Lakeside Parkway, Santa Maria. Persons may address the Board on any matter listed on the agenda by completing and delivering to the Clerk a speaker slip before the item is considered. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda. Further information on agenda items can be obtained in the Clerk of the Board Office, Room 407, in the County Administration Building in Santa Barbara.

Board Meeting Procedures

The Board of Supervisors is the legislative body for the County of Santa Barbara. Persons are encouraged to attend and testify before the Board on any matter appearing on the agenda. Correspondence to the Board regarding items appearing on the agenda should be directed to the Clerk of the Board, 105 East Anapamu Street, Room 407, Santa Barbara CA 93101. For information regarding the meetings of the Board of Supervisors including specific meeting times contact the Clerk of the Board at (805) 568-2240. Procedures for the conduct of the meetings of the Board of Supervisors can be found in Board Resolutions 09-368 (General) and 91-333 (Land Use).

The schedule of the Board of Supervisors, meeting agendas, supplemental hearing materials and minutes of the Board meetings are available on the Internet at: www.countyofsb.org

Board Meetings are televised live on County of Santa Barbara TV channel 20. For information about obtaining a videotape of a public hearing or a schedule of CSBTV broadcasts please call (805) 568-3427.

Late Distribution and Ex-Parte Communication

Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the Clerk of the Board to all or a majority of the members of the Board of Supervisors less than 72 hours prior to that meeting are available for inspection in the Clerk of the Board Office, 105 East Anapamu Street, Room 407, Santa Barbara, CA, at the Office of the Board of Supervisors, Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria, CA and on the Internet at: <http://santabarbara.legistar.com/Calendar.aspx#current>. Any written ex-parte communication subject to disclosure by members of the Board of Supervisors may be published online as an attachment to the corresponding item.

Disability Access

The Board of Supervisors Hearing Room in Santa Barbara is located on the Fourth Floor of the County Administration Building, 105 East Anapamu Street. The Hearing Room is wheelchair accessible. Accessible public parking is available behind the County Administration Building and in City Parking Lot #6 located at the corner of Anacapa Street and Anapamu Street.

The Board of Supervisors Hearing Room in Santa Maria is located at the Betteravia Government Center, 511 East Lakeside Parkway, Santa Maria. The Hearing Room is wheelchair accessible. Accessible public parking is available at the Betteravia Government Center.

American Sign Language interpreters, Spanish language interpretation and sound enhancement equipment may be arranged by contacting the Clerk of the Board of Supervisors by 4:00 p.m. on Friday before the Board meeting. For information about these services please contact the Clerk of the Board at (805) 568-2240.

Closed Session

The Board of Supervisors conducts a Closed Session every Tuesday between 12:00 P.M. and 1:00 P.M. and at 7:50 A.M. as necessary. Closed Sessions are not open to the public. Matters discussed during Closed Session include existing and pending litigation, personnel matters and real property negotiations. Actions taken by the Board during Closed Session will be announced during open session (Gov. Code Sections 54957.1(a) & (b), Ralph M. Brown Act). The Closed Session agenda is posted as an addendum to the Board's agenda each Friday in the Office of the Clerk of the Board. For information related to Closed Session announcements please contact County Counsel at (805) 568-2950.

9:00 A.M. Convene to Regular Session**Roll Call****Pledge of Allegiance****Approval of Minutes of the August 13, 2019 Meeting**County Executive Officer's Report

19-00001

12:00 P.M. Recess to Closed Session**Closed Session**19-00002

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

Santa Ynez Band of Mission Indians, etc. v. Assessment Appeals Board of the County of Santa Barbara, et al., Santa Barbara County Superior Court, case number 18CV04402.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code section 54956.8)

Property: Assessor's Parcel Number 007-380-024, 1745 Fernald Point Lane, Santa Barbara, California 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: True Horizons, LLC, a Delaware Limited Liability Company. Under negotiation: price and terms of payment.

Property: Assessor's Parcel Number 007-380-004, a vacant lot on Fernald Point Lane north of 1745 Fernald Point Lane, Santa Barbara, California 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: True Horizons, LLC, a Delaware Limited Liability Company. Under negotiation: price and terms of payment.

Property: Assessor's Parcel Number 007-380-006, 1767 Fernald Point Lane, Santa Barbara, California 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: Linda S. Keston, Daniel E. Keston, and James A. Keston, co-trustees of the Keston Revocable Trust dated March 29, 1995. Under negotiation: price and terms of payment.

Property: Assessor's Parcel Number 007-380-007, 1775 Fernald Point Lane, Santa Barbara, California 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: Kathleen S. Grassini, Trustee, or any Successor Trustee, of the Kathleen S. Grassini Qualified Personal Residence Trust, UDT dated July 18, 2000; and Lawrence P. Grassini, Trustee, or any Successor Trustee, of the Lawrence P. Grassini Qualified Personal Residence Trust, UDT dated July 18, 2000. Under negotiation: price and terms of payment.

Report from Closed Session

Administrative Agenda

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

Resolutions to be Presented

A-1) SUPERVISOR HARTMANN [19-00716](#)

Adopt a Resolution proclaiming May 2019 through September 2019 as Drowning Prevention Awareness Season in Santa Barbara County.

Honorary Resolutions

A-2) SUPERVISOR ADAM [19-00717](#)

Adopt a Resolution of Commendation honoring the 2019 Lompoc Valley Woman of the Year.

A-3) SUPERVISOR ADAM [19-00718](#)

Adopt a Resolution of Commendation honoring the 2019 Lompoc Valley Man of the Year.

Administrative Items

A-4) AGRICULTURAL COMMISSIONER [19-00707](#)

Approve the appointment of Noe Contreras as an Alternate member to the Agricultural Advisory Committee, appointed by the California Strawberry Commission.

A-5) AGRICULTURAL COMMISSIONER[19-00708](#)

Consider recommendations regarding the Asian Citrus Psyllid (ACP) Bulk Citrus Regulatory Program, Agreement No. 19-0256-000-SA with the California Department of Food and Agriculture (CDFA), as follows:

- a) Approve, ratify and authorize the Agricultural Commissioner or her designee to execute an agreement with the CDFA for support and services related to the ACP Bulk Citrus Regulatory Program in the County of Santa Barbara for the period of July 1, 2019 through June 30, 2020 in the amount of \$22,250.66; and
- b) Determine that the above action involves government funding mechanisms and/or fiscal activities and is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4).

A-6) BEHAVIORAL WELLNESS[19-00715](#)

Consider recommendations regarding a Grant Agreement with Sierra Health Foundation: Center for Health Program Management for the provisions of Medication Assisted Treatment (MAT) Access Point Project, Fiscal Year (FY) 2019-2020, as follows: (4/5 Vote Required)

- a) Approve, ratify and authorize the Director of Behavioral Wellness or designee to execute the multiyear grant agreement with Sierra Health Foundation, Center for Health Program Management (a California nonprofit public benefit corporation) for the provision of MAT services in support of the MAT Access Point Project in the amount of \$75,000.00 for the period of June 1, 2019 to August June 30, 2020 (MAT Project Grant);
- b) Approve a Budget Revision Request No. 0006527 increasing appropriations of \$75,000.00 in the Behavioral Wellness Department, Alcohol and Drug Program Fund for \$35,700.00 for Salaries and Benefits and \$39,300.00 in Services and Supplies funded by unanticipated revenue from the MAT Project Grant;
- c) Approve and authorize the Director of Behavioral Wellness to execute any subsequent reports or amendments that do not change the amount or the substantive terms of the MAT Project Grant, subject to the Board's authority to rescind this authority at any time; and
- d) Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA guidelines.

A-7) CLERK-RECORDER-ASSESSOR[19-00714](#)

Consider recommendations regarding a License and Services Agreement for a Recording and Cashiering System, as follows:

- a) Approve and authorize the Chair to execute a License and Services Agreement with Tyler Technologies, Inc. for the Eagle Recorder System for an estimated amount of \$620,000.00;
- b) Authorize the County Clerk, Recorder, and Assessor to expend additional funds as needed to complete the implementation of the Eagle Recorder System, up to \$750,000.00; and
- c) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5) that the above actions are not a project subject to CEQA review because the actions consist of organizational and administrative activities of governments that will not result in direct or indirect physical changes in the environment.

A-8) COUNTY EXECUTIVE OFFICE[19-00706](#)

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

A-9) GENERAL SERVICES, PUBLIC WORKS[19-00622](#)

Consider recommendations regarding an Ordinance amending Santa Barbara County Code Chapter 12A, County-Owned Property, Article II, Real Property Procedures, Sections 12A-10, 12A-10.1, 12A-11, and 12A-11.1 pertaining to the administration and procedures for managing County-owned property and renewing delegations of authority therein, as follows:

- a) Consider and approve the adoption (Second Reading) of an Ordinance amending Santa Barbara County Code Chapter 12A, County-Owned Property, Article II, Real Property Procedures, Sections 12A-10, 12A-10.1, 12A-11, and 12A-11.1, pertaining to the administration and procedures for managing County-owned property and renewing delegations of authority therein; and
- b) Find that the proposed actions do not constitute a “Project” within the meaning of the California Environmental Quality Act pursuant to 14 CCR 15378(b)(2), as they consist of “general policy and procedure making” and pursuant to 14 CCR 15378(b)(5) as they consist of 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-10) GENERAL SERVICES[19-00710](#)

Consider recommendations regarding the Local Vendor Preference Policy Update, as follows:

- a) Approve a request to extend the date General Services/Purchasing staff will provide a comparative analysis of the Local Vendor Preference Policy, as requested by the Board on February 12, 2019, to August 2020; and
- b) Determine that the above recommended actions do not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), finding that the actions are the creation of a governmental funding mechanism or other government fiscal activity, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-11) PUBLIC HEALTH[19-00712](#)

Consider recommendations regarding a First Amendment to the Pediatric Trauma Care Richie's Fund Distribution Agreement with Santa Barbara Cottage Hospital, as follows:

- a) Approve and authorize the Chair to execute a First Amendment to the Agreement between the Public Health Department and the Santa Barbara Cottage Hospital Level II Pediatric Trauma Center to receive Richie's Funds to continue providing care to pediatric trauma patients and to extend the Agreement for five months to December 31, 2019; and
- b) Determine that this action is not a "Project" under the California Environmental Quality Act (CEQA) per CEQA Guideline section 15378(b)(4), since the recommended action is a government fiscal activity which does not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-12) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT[19-00704](#)

Consider recommendations regarding the North Avenue Storm Drain Improvement Project - East Phase, Fourth District, as follows:

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

- a) Approve and authorize the Chair to execute the Statement of Final Quantities for work performed and materials supplied for the North Avenue Storm Drain Improvement Project - East Phase by the contractor Cedro Construction, Incorporated (a tri-county vendor), in the amount of \$277,390.13; and
- b) Determine that the North Avenue Storm Drain Improvement Project was found by the Board to be exempt from the provisions of the California Environmental Quality Act, pursuant to State California Environmental Quality Act Guidelines Section 15304, Minor Alterations to Land, on Nov. 11, 2011, upon approval of the project; that a Notice of Exemption was filed on that basis, and the proposed action is within the scope of that Notice of Exemption.

A-13) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY[19-00705](#)

Consider recommendations regarding the Santa Barbara County 2019 Groundwater Basins Summary Report, as follows:

Acting as the Board of Directors, Water Agency:

- a) Receive and file the Santa Barbara County 2019 Groundwater Basins Summary Report; and
- b) Determine that the Santa Barbara County 2019 Groundwater Basins Summary Report is not subject to California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378(b) (5), as it is an administrative action that will not result in direct or indirect changes to the environment.

A-14) PUBLIC WORKS[19-00711](#)

Consider recommendations regarding North County Transit Breeze Routes 100 and 200, First Amendment to Memorandum of Understanding (MOU), Third and Fourth Districts, as follows:

- a) Approve, ratify, and authorize the Chair to execute Amendment No. 1 to the MOU dated July 1, 2014 with the Cities of Santa Maria, Lompoc, the County of Santa Barbara and the Santa Barbara County Association of Governments (collectively referred to as “the Parties”) for the funding and operation of the Breeze 100 service and extend the current contract to June 30, 2020, contingent on the availability of funding;
- b) Approve, ratify and authorize the Chair to execute Amendment No. 1 to the MOU dated July 1, 2014 between the cities of Santa Maria, Buellton, Solvang, the County of Santa Barbara, and Santa Barbara County Association of Governments (collectively referred to as “the Parties”) for the funding and operation of the Breeze 200 service and extend the current contract to June 30, 2020, contingent on the availability of funding; and
- c) Find that the proposed actions do not constitute a “Project” within the meaning of California Environmental Quality Act, pursuant to 14 CCR 15378(b)(2) (continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy and procedure making).

A-15) PUBLIC WORKS[19-00709](#)

Consider recommendations regarding Final Quantities of Work for Cedro Construction Inc., South Coast Recycling and Transfer Station Storm Drain Improvements Project, County Project 828369, Second District, as follows:

- a) Approve and authorize the Chair to execute the Statement of Final Quantities for work performed and materials supplied for the South Coast Recycling and Transfer Station Storm Drain Improvements Project Phase 3 - Sewer Improvements by the contractor, Cedro Construction, Inc. in the amount of \$329,753.10; and
- b) Determine that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines, which exempts organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment.

A-16) SHERIFF[19-00713](#)

Consider recommendations regarding a Donation of Equipment for County Air Support Unit, as follows: (4/5 Vote Required)

- a) Accept a donation of equipment and cost of installation, valued at up to \$105,000.00, from the Project Rescue Flight, a non-profit 501(c)(3) corporation to the Santa Barbara County Sheriff's Office, Air Support Unit;
- b) Approve Budget Revision Request No. 0006546 to increase appropriations in Sheriff General Fund for capital assets (upgraded avionics) and funded by a donation from the Project Rescue Flight; and
- c) Find that the proposed action does not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to 14 CCR 15378 (b)(5), in that it is a government administrative activity that will not result in direct or indirect changes in the environment.

Approval of Administrative Agenda**Public Comment Period**

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period. THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES.
(Resolution No. 09-368) (19-00004)

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

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE[19-00652](#)

HEARING - Consider recommendations regarding Chapter 50 Licensing of Commercial Cannabis Operations Ordinance Amendments and Cannabis Business Licensing Fee Ordinance Amendments, as follows: (EST. TIME: 3 HR. 30 MIN.)

a) Consider the introduction (First Reading) of an Ordinance amending Chapter 50 of the Santa Barbara County Code, Licensing of Commercial Cannabis Operations;

b) Read title: “An Ordinance Amending Chapter 50, Licensing of Commercial Cannabis Operations, of The Santa Barbara County Code,” and waive reading of the Ordinance in full;

c) Set a hearing on the Administrative Agenda for August 27, 2019 to consider the adoption (Second Reading) of an Ordinance Amending Chapter 50 of the Santa Barbara County Code, Licensing of Commercial Cannabis Operations;

d) Consider the introduction (First Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara amending the Ordinance 5041, “An Ordinance Establishing the Cannabis Business License Fee”;

e) Read title: “An Ordinance Amending Ordinance 5041, “An Ordinance Establishing the Cannabis Business License Fee” and waive reading of the Ordinance in full;

f) Set a hearing on the Administrative Agenda for August 27, 2019 to consider the adoption (Second Reading) of “An Ordinance Amending Ordinance 5041, An Ordinance Establishing the Cannabis Business License Fee”;

g) Provide direction to staff on revisions to cannabis storefront retail requirements, if desired; and

h) Make the required California Environmental Quality Act (CEQA) findings and determine for the purposes of CEQA that:

i) These actions are within the scope of the Cannabis Land Use Ordinance and Licensing Program, 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 this activity for the purposes of CEQA; and

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.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

2) PLANNING AND DEVELOPMENT[19-00719](#)

HEARING - Consider recommendations regarding the G&K Farm/K&G Flower Cannabis Cultivation Appeal, Case No. 19APL-00000-00018, First District, as follows: (EST. TIME: 3 HR.)

a) Deny the appeal, Case No. 19APL-00000-00018;

b) Make the required findings for approval of the project, Case No. 18CDP-00000-00077, including California Environmental Quality Act (CEQA) findings;

c) Determine that the previously certified Program Environmental Impact Report (PEIR) (17EIR-00000-00003) constitutes adequate environmental review and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162 and 15168(c)(2); and

d) Grant de novo approval of the project, Case No. 18CDP-00000-00077, subject to the conditions.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Adjourn to

Tuesday, August 27, 2019

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, August 20, 2019 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, August 22, 2019, at 5:00 PM and on Saturday, August 24, 2019, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>