

County of Santa Barbara
BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, November 13, 2018

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.

9:00 A.M. Convened to Regular Session

Roll Call

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

Pledge of Allegiance

Approval of Minutes of the November 6, 2018 Meeting

A motion was made by Supervisor Hartmann, seconded by Supervisor Adam, 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

18-00050

No report from the County Executive Officer.

12:00 P.M. Recessed to Closed Session**Closed Session****18-00007**

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

In the Matter of Santa Barbara County, Provider Number TCM42, Fiscal Period Ended 6/30/12, State of California Health and Human Services Agency, Department of Health Care Services, Audits and Investigations Targeted Case Management case number TC18-0612-803L-CL.

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

Deciding whether to initiate civil litigation: three cases.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS [Santa Barbara County Board of Supervisors, sitting as the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District]
(Government Code section 54956.8)

Property: Assessor's Parcel Number 007-120-036, 640 Randall Road, Santa Barbara, CA 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating parties: Ronald J. Daniels and Joanne D. Rosenblatt. Under negotiation: price and terms of payment.

Property: Assessor's Parcel Number 007-120-052, 630 Randall Road, Santa Barbara, CA 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: Montgomery Living Trust 2/7/14. Under negotiation: price and terms of payment.

Property: Assessor's Parcel Number 007-120-054, 620 Randall Road, Santa Barbara, CA 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: BK MacDonald Living Trust 11/18/2009. Under negotiation: price and terms of payment.

Property: Assessor's Parcel Number 007-120-059, 1760 East Valley Road, Santa Barbara, CA

93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: GST Trust created under the Flaster Living Trust 10/24/88. Under negotiation: price and terms of payment.

Property: Assessor’s Parcel Number 007-120-035, 650 Randall Road, Santa Barbara, CA 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: Anthony C. Nicoletti. Under negotiation: price and terms of payment.

Property: Assessor’s Parcel Number 007-120-034, 660 Randall Road, Santa Barbara, CA 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: Andrew & Agnieszka Anthony 2016 Trust. Under negotiation: price and terms of payment.

Property: Assessor’s Parcel Number 007-120-033, 670 Randall Road, Santa Barbara, CA 93108 (First Supervisorial District). Agency negotiators: General Services Director Janette D. Pell and Public Works Director Scott D. McGolpin. Negotiating party: Lois Ream Waldref Revocable Trust 11-28-96. Under negotiation: price and terms of payment.

PUBLIC EMPLOYEE APPOINTMENT

(Paragraph (1) of subdivision (b) of Government Code section 54957)

Director of Planning and Development.

Report from Closed Session

County Counsel Michael Ghizzoni reported the following:

In a matter of existing litigation involving the Department of Health Care Services, by a 5-0 vote, the Board of Supervisors authorized and ratified a formal appeal; and

Regarding Conference of Real Property Negotiators, by a 5-0 vote, the Board of Supervisors authorized the General Services Director to begin discussions to potentially acquire the following parcels for flood control purposes through voluntary acquisition:

- 620 Randall Road, Santa Barbara**
- 630 Randall Road, Santa Barbara**
- 640 Randall Road, Santa Barbara**
- 650 Randall Road, Santa Barbara**
- 660 Randall Road, Santa Barbara**
- 670 Randall Road, Santa Barbara**
- 1760 East Valley Road ,Santa Barbara**

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) **AUDITOR-CONTROLLER** **18-00896**

Consider recommendations regarding the Loss of Public Property Report, as follows:

a) Receive and file the Auditor-Controller’s Loss of Public Property Report for the period July 1, 2017 through June 30, 2018; and

b) Determine that the above action is not a “project” under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA guidelines, because it consists of 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 Hartmann, that this matter be Acted on as follows: The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-2) AUDITOR-CONTROLLER

18-00924

Consider recommendations regarding the Santa Barbara County Adopted Budget Schedules and the State Controller Final Budget Schedules for Fiscal Year 2018-2019, as follows:

- a) Receive and file the Santa Barbara County Adopted Budget Schedules for Fiscal Year 2018-2019;
- b) Receive and file the State Controller Final Budget Schedules for Fiscal Year 2018-2019; and
- c) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378(b)(5), because they are government fiscal activities which do not involve commitment to any specific project which may result in potentially significant physical impact on the environment.

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

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

The motion carried by the following vote:

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

A-3) BEHAVIORAL WELLNESS18-00903

Consider recommendations regarding the Behavioral Wellness Alcohol and Drug Program -Drug Medi-Cal Organized Delivery System (DMC-ODS) Fiscal Year (FY) 2018-2021 Service Contracts, as follows:

- a) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with Family Service Agency of Santa Barbara County, (FSA) (a local vendor), to deliver substance use disorder services under DMC-ODS, for a multi-year total contract not to exceed \$1,517,062.00 for the period December 1, 2018 through June 30, 2021;
- b) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with Tarzana Treatment Centers, Inc. (Tarzana) (not a local vendor), to deliver substance use disorder services under DMC-ODS, for a total multi-year contract not to exceed \$1,829,201.00 for the period December 1, 2018 through June 30, 2021;
- c) Authorize the Director of Behavioral Wellness to exercise, as needed, the County's authority to terminate the above DMC-ODS contracts for convenience, cause, or nonappropriations, based on departmental operational needs or as directed by the state Department of Health Care Services, without returning to the Board of Supervisors; and
- d) 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 Hartmann, that this matter be Acted on as follows:

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

c) Authorized; and

d) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-4) BEHAVIORAL WELLNESS18-00908

Consider recommendations regarding Behavioral Wellness Alcohol and Drug Program - Good Samaritan Shelter Fiscal Year (FY) 2018-2019 Second Amendment and Drug Medi-Cal Organized Delivery System (DMC-ODS) FY 2018-2021 Service Contract, as follows:

- a) Approve, ratify and authorize the Chair to execute a Second Amendment to the FY 2018-2019 Agreement BC 18-243 with Good Samaritan Shelter (a local vendor), to add new language to and increase Mental Health funding for the provision of additional shelter bed services from July 1, 2018 through October 7, 2018, and to shorten the term for Alcohol and Drug Program services and reallocate funding between programs during that period, with ADP services under this contract to terminate on November 30, 2018, for a new total contract maximum amount not to exceed \$959,995.00 through June 30, 2019;
- b) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with Good Samaritan Shelter (a local vendor), to deliver substance use disorder services under DMC-ODS, for a multi-year total contract not to exceed \$7,814,282.00 for the period December 1, 2018 through June 30, 2021;
- c) Authorize the Director of Behavioral Wellness to exercise, as needed, the County's authority to terminate the above DMC-ODS contract for convenience, cause, or nonappropriations, based on departmental operational needs or as directed by the state Department of Health Care Services (DHCS), without returning to the Board of Supervisors; and
- d) 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 Hartmann, that this matter be Acted on as follows:

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

c) Authorized; and

d) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-5) BEHAVIORAL WELLNESS

18-00915

Consider recommendations regarding the Behavioral Wellness Alcohol and Drug Program service contract with Aegis Treatment Centers, LLC for substance use disorder services under the Drug Medi-Cal Organized Delivery System (DMC-ODS), Fiscal Year (FY) 2018-2021, as follows:

- a) Approve and authorize the Chair to execute an Agreement for services of Independent Contractor with the Aegis Treatment Centers, LLC (Aegis) (not a local vendor), to deliver substance use disorder services under the DMC-ODS, for a multi-year contract total not to exceed \$10,850,000.00 for the period December 1, 2018 through June 30, 2021; and
- b) 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 Wolf, seconded by Supervisor Lavagnino, that this matter be Acted on as follows:

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

The motion carried by the following vote:

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

A-6) CHILD SUPPORT SERVICES [18-00907](#)

Consider recommendations regarding a plan of cooperation with the California Department of Child Support Services (DCSS), as follows:

- a) Receive and file a report on the executed Plan of Cooperation with the DCSS for the period of October 1, 2018 to September 30, 2019 (Federal Fiscal Year 2019) which reflects child support program responsibilities for DCSS and Santa Barbara County Child Support Services; and
- b) Determine that receiving and filing this report is not a project pursuant to California Environmental Quality Act (CEQA) Guidelines section 15378(b)(5), as it is an administrative government activity that will not result in direct or indirect physical changes in the environment.

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 Wolf, Supervisor Hartmann, and Supervisor Lavagnino

Absent: 1 - Supervisor Adam

A-7) COMMUNITY SERVICES [18-00918](#)

Consider recommendations regarding Cachuma Waterline (Contract No. 4 - Distribution System), Project No. 8646, Award of Contract, Third District, as follows: (4/5 Vote Required)

- a) Approve the plans and specifications on file in the Community Services Department for the Cachuma Waterline;
- b) Award, and approve and authorize the Chair to execute, a contract in the amount of \$698,140.00 to the lowest responsible bidder, Hanly General Engineering Corporation, for the Project, 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 Director of Community Services, or designee, to order changes or additions in the work being performed for the Project via change orders in the amount not to exceed \$47,407.00 as authorized under California Public Contract Code Section 20142;
- d) Approve Budget Revision Request No. 0006059 for completion of the Project; and

e) Determine that pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162 no new effects will occur and no new mitigation measures would be required as a result of the recommended actions because there are no substantial changes proposed, no substantial changes in circumstances, and no new information of substantial importance regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore the recommended actions are within the scope of the environmental review documents for this project [Mitigated Negative Declaration (09NGD-00000-00024) and monitoring program approved and adopted by the County of Santa Barbara Board of Supervisors on April 19, 2011] and no new environmental document shall be prepared for this project.

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

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

The motion carried by the following vote:

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

A-8) COUNTY EXECUTIVE OFFICE

18-00897

Consider recommendations regarding Public Safety Dispatch Separation, as follows:

- a) Receive and file an update from staff on Public Safety Dispatch alternatives;
- b) Direct staff to return to the Board with an update within 120 days;
- c) Provide other direction as appropriate; and
- d) Determine this action is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15378(b) (5), which are organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment.

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

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

The motion carried by the following vote:

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

A-9) COUNTY EXECUTIVE OFFICE

18-00909

Consider recommendations regarding a 2018 Homeland Security Grant Program (18HSGP), as follows:

- a) Adopt a Resolution authorizing the County Executive Officer, or designee to apply and enter into a contract to accept the 18HSGP with the California Office of Emergency Services in the approximate amount of \$524,847.00 on behalf of the Santa Barbara County Operational Area;
- b) Direct staff to return to the Board of Supervisors 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).

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

a) Adopted.

RESOLUTION NO. 18-283

b) Directed; and

c) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-10) COUNTY EXECUTIVE OFFICE

18-00910

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

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

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

Absent: 1 - Supervisor Adam

A-11) COUNTY EXECUTIVE OFFICE

18-00926

Consider recommendations regarding the approval of the County Submission of a Grant in response to local super Notice of Funding Availability (NOFA) for State Homeless Emergency Aid Program (HEAP) Funding, as follows:

- a) Authorize the County Executive Office (CEO) or designee to apply for a grant for State HEAP funding by submitting the grant application, certifications, standard forms, and other related documents to the Santa Maria/Santa Barbara County Continuum of Care through the County Community Services Department as the Administrative Entity for HEAP funding;
- b) Direct the County Executive Officer or designee to return to the Board of Supervisors in January 2019 for review, approval, and execution of an agreement for the acceptance of grant funds and a Memorandum of Understanding (MOU) for the administration of HEAP funding among the multiple County departments that constitute the Multidisciplinary Intensive Case Management Team; and
- c) Determine that the above recommended actions are not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), finding that the actions are the creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

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

a) Authorized;

b) and c) Directed and approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-12) COUNTY EXECUTIVE OFFICE[18-00927](#)

Consider recommendations regarding a Report on the Lompoc Riverbed Triage Center, as follows:

- a) Receive and file a report on the Lompoc Riverbed Triage Center; and
- b) Determine that the above action is an administrative activity that will not result in direct or indirect physical changes to the environment and thus is not a project as defined under Section 15378(b)(5) of the state guidelines for the implementation of the California Environmental Quality Act.

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 Wolf, Supervisor Hartmann, and Supervisor Lavagnino

Absent: 1 - Supervisor Adam

A-13) GENERAL SERVICES[18-00917](#)

Consider recommendations regarding an amendment to the Telephone System Maintenance and Support Contract BC05-119, as follows:

- a) Approve and authorize the Chair to execute a contract amendment exercising the option to extend the existing Telephone System Maintenance and Support contract with NEC Corporation of America (NEC), (a local vendor) increasing the total contract amount from \$4,000,000.00 to \$5,000,000.00; and
- b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA guidelines.

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

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

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-14) HUMAN RESOURCES[18-00899](#)

Consider recommendations regarding the conversion of unit cash to base pay for employees represented by the Engineers and Technicians Association and SEIU Local 620, as follows:

- a) Approve the side letter agreements to increase biweekly base pay for employees represented by the Service Employees International Union, Local 620 and the Engineers and Technicians Association by the same amount they currently receive as a unit cash allowance, also known as a “benefit allowance,” and to eliminate this allowance for employees represented by these labor organizations once it is incorporated into 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 Lavagnino, seconded by Supervisor Hartmann, that this matter be Acted on as follows:

a) and b) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-15) PUBLIC HEALTH[18-00901](#)

Consider recommendations regarding a Memorandum of Understanding (MOU) between the Public Health Department (PHD) and Santa Barbara Neighborhood Clinics (SBNC) for referral services, as follows;

- a) Approve and authorize the Chair to execute the MOU between the PHD and SBNC to facilitate patient referrals between the agencies resulting in shared access to dental services at SBNC and specialty services at PHD;
- b) Approve and authorize the Public Health Director to extend the MOU between PHD and SBNC for up to an additional one year period in accordance with Section 6.A of the MOU; and
- c) Determine that the recommended actions do not constitute 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 the organization and 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 Hartmann, that this matter be Acted on as follows:

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

The motion carried by the following vote:

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

A-16) PUBLIC HEALTH

18-00902

Consider recommendations regarding a Memorandum of Understanding (MOU) between the Public Health Department (PHD) and American Indian Health and Services, as follows:

- a) Approve and authorize the Chair to execute the MOU between the PHD and American Indian Health and Services to facilitate patient referrals between the agencies resulting in shared access to dental services at American Indian Health and Services and OB/GYN services at PHD;
- b) Approve and authorize the Public Health Director to extend the MOU between PHD and American Indian Health and Services for up to an additional one year period in accordance with Section 6.A of the MOU; and
- c) Determine that the recommended actions do not constitute 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 the organization and 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 Hartmann, that this matter be Acted on as follows:

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

The motion carried by the following vote:

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

A-17) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

18-00900

Consider recommendations regarding approval of the Hazard Mitigation Grant Program Pre-Disaster Mitigation Application, First District, as follows:

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

a) Authorize and designate the Public Works Director or his designee as authorized agents of the District for the Federal Emergency Management Agency’s Hazard Mitigation Grant Program - Pre-Disaster Mitigation program with delegated authority to:

i) Submit a grant application for future funds to construct a debris basin proposed along Buena Vista Creek, including all required attachments and supporting documentation to the Federal Emergency Management Agency for the Hazard Mitigation Grant Program Pre-Disaster Mitigation program in the requested amount of \$3,000,000.00;

ii) If awarded, enter into a grant agreement, and subsequent amendments to the grant agreement; and

iii) Make any certifications and assurances that may be required by the grant agreements; and

b) Find that the proposed action is an organizational or administrative activity related to the creation of a government funding mechanism which will not result in a direct or indirect physical change in the environment and does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and is therefore not a project under the California Environmental Quality Act pursuant to Guideline Section 15378 (b)(4) and (b)(5).

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

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

a) i) Through iii) Authorized;

b) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

**A-18) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT**

18-00911

Consider recommendations regarding Amendment No. 5 to the professional services agreement with Carollo Engineers, Incorporated for engineering services during construction of Laguna County Sanitation District Plant Upgrades, Third and Fourth Districts, as follows:

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

- a) Approve and authorize the Chair to execute amendment no. 5 to the agreement with Carollo Engineers, Incorporated, to add a new scope of work for design assistance and engineering services related to Laguna County Sanitation District wastewater reclamation plant upgrades and to extend the term of the agreement, increasing the contract by \$4,858,622.00 for a new contract maximum not to exceed \$8,159,261.00 through December 31, 2023;
- b) Authorize the Public Works Director, or designee, to approve and execute amendments up to an additional contingency amount of \$150,000.00 to cover inflationary cost escalations by calendar year if they exceed the assumed escalator set forth in Amendment No. 5; and
- c) Find that the proposed action does not constitute a "Project" within the meaning of the California Environmental Quality Act, 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.

A motion was made by Supervisor Adam, seconded by Supervisor Hartmann, that this matter be Continued, as follows: December 4th, 2018 in Santa Maria. The motion carried by the following vote:

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

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

18-00912

Consider recommendations regarding a professional services agreement with KNN Public Finance, LLC for municipal advisor services for the proposed Laguna County Sanitation District Plant Upgrades, Third and Fourth Districts, as follows:

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

- a) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with KNN Public Finance, LLC in an amount not-to-exceed \$108,500.00 to provide financial advisory services associated with financing for proposed Laguna County Sanitation District wastewater reclamation plant upgrades;
- b) Adopt a Resolution declaring the District’s official intent to reimburse certain expenditures from proceeds of indebtedness; and
- c) 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)(5), in that they are government administrative activities that will not result in direct or indirect changes in the environment.

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

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

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

RESOLUTION NO. 18-284

- c) Approved.**

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-20) PUBLIC WORKS

18-00913

Consider recommendations regarding a Resolution to support the Santa Barbara County Association of Governments’ exemption from the State’s Congestion Management Program, as follows:

a) Adopt a Resolution supporting the Santa Barbara County Association of Governments’ exemption from the State’s Congestion Management Program; and

b) Find that the above recommended action is not a project under the California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(5), since the activity is an organization 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 Hartmann, that this matter be Acted on as follows:

a) Adopted.

RESOLUTION NO. 18-285

b) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-21) PUBLIC WORKS

18-00914

Consider recommendations regarding the annual Public Works Director’s report and Resolution to update the Orcutt Transportation Improvement Plan, Third and Fourth Districts, as follows:

- a) Receive and file the Public Works Director’s Report for the Orcutt Transportation Improvement Plan;
- b) Review and approve the estimated costs of the transportation facilities described in the Report, the continued need for these facilities, and the reasonable relationship between the need and the impacts of development for which the fees are charged;
- c) Approve and adopt the Resolution updating the Orcutt Transportation Improvement Plan and finding a reasonable relationship between the need for the public transportation facilities and a continued need for the facilities identified in the Orcutt Community Transportation Improvement Plan; and
- d) Determine that the proposed action is not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) because it consists of continuing administrative and other fiscal activities that do not involve commitment to any specific project, and are therefore not a project as defined by State California Environmental Quality Act Guidelines.

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

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

RESOLUTION NO. 18-286

- d) Approved.**

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-22) PUBLIC WORKS

18-00838

Consider recommendations regarding an Amendment of County Code Chapters 9, 23, and 28 for Business Operations Encroaching on Sidewalks or in the County Right-of-Way, as follows:

- a) Approve the adoption (Second Reading) of an Ordinance amending Santa Barbara County Code, Chapter 9-Bicycles, to allow permitting, regulation, and collection of fees for shared mobility device operations encroaching on sidewalks or in the County right-of-way;
- b) Approve the adoption (Second Reading) of an Ordinance amending Santa Barbara County Code, Chapter 23-Motor Vehicles and Traffic, to allow permitting, regulation, and collection of fees for car share or shared mobility device operations encroaching in the County right-of-way;
- c) Approve the adoption (Second Reading) of an Ordinance amending Santa Barbara County Code, Chapter 28-Roads, to allow permitting, regulation, and collection of fees for business operations encroaching on sidewalks or in the County right-of-way; and
- d) Determine these Ordinance amendments to Santa Barbara County Code, Chapters 9, 23, and 28 are not a project under the California Environmental Quality Act pursuant to Section 14 CCR 15378 (b)(2) (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 Lavagnino, seconded by Supervisor Hartmann, that this matter be Acted on as follows:

a) Adopted.

ORDINANCE NO. 5063

b) Adopted.

ORDINANCE NO. 5064

c) Adopted.

ORDINANCE NO. 5065

d) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-23) SHERIFF

18-00898

Consider recommendations regarding a Sheriff’s Volunteer Response (SVR) agreement and amendment between the Santa Barbara Sheriff’s Office and the City of Santa Barbara, as follows:

- a) Approve, ratify, and authorize the Chair to execute an agreement with the City of Santa Barbara to provide Deputy Sheriff coverage for special events (SVR) law enforcement assistance, including the Old Spanish Days Fiesta for a term of July 1, 2018 to June 30, 2019 in the amount of expected revenue \$134,773.41;
- b) Approve, ratify, and authorize the Chair to execute an amendment to the agreement with the City of Santa Barbara to update the amount of the County’s indirect cost rate proposal; and
- c) Determine this action is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5), which are organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment.

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

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

The motion carried by the following vote:

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

A-24) SHERIFF[18-00916](#)

Consider recommendations regarding an application for the destruction of accounting records, as follows: (4/5 Vote Required)

- a) Approve an Application for the destruction of records of financial services division files at least two (2) years old and are no longer required by law to be retained; and
- b) Determine that the above actions are organizational and administrative activities of government that are not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15378(b) (5).

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

a) and b) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-25) SOCIAL SERVICES[18-00895](#)

Consider recommendations regarding a third amendment to the agreements with Aspiranet and Seneca Family of Agencies for permanency assessment services, as follows:

- a) Approve and authorize the Chair to execute the third amendment to the agreement with Aspiranet, a local vendor, for the provision of permanency assessment services in the amount not to exceed \$60,000.00 for the period of July 1, 2018 through June 30, 2019;
- b) Approve and authorize the Chair to execute the third amendment to the agreement with Seneca Family of Agencies, a local vendor, for the provision of permanency assessment services in the amount not to exceed \$80,000.00 for the period of July 1, 2018 through June 30, 2019; and
- c) Determine that the approvals and execution of the above amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), finding that the approvals and execution of the amendment is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activities are not subject to CEQA.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Hartmann, 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:** 4 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, and Supervisor Lavagnino
- Absent:** 1 - Supervisor Adam

Board of Supervisors

A-26) SUPERVISOR LAVAGNINO [18-00925](#)

Receive and file a presentation from the Fifth District reviewing the seventh annual Santa Barbara County Veterans Stand Down.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Hartmann, that this matter be Received and filed. The motion carried by the following vote:

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

Hearing Requests

A-27) COUNTY EXECUTIVE OFFICE

18-00922

Set a hearing to consider recommendations regarding an amendment to Chapter 50 of the County Code, Licensing of Cannabis Operations to make it effective in the Coastal Zone, as follows:
(Set a hearing for December 4, 2018. Time estimate: 15 minutes)

On November 13, 2018 Administrative Agenda:

a) Set a hearing for December 4, 2018 to consider an amendment to Ordinance No. 5037 which added Chapter 50, Licensing of Cannabis Operations, to the County Code to make Chapter 50 operational in the Coastal Zone; and

b) Find that the proposed actions are an administrative activity of the County, which will not result in direct or indirect changes to the environment and are therefore not a “project” as defined for the purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5);

On the December 4, 2018 Departmental Agenda:

a) Consider the introduction (First Reading) of an amendment to Ordinance No. 5037 which added Chapter 50 to the County Code to make Chapter 50 operational in the Coastal Zone;

b) Read title, “An Ordinance Amending Ordinance No. 5037 Which Added Chapter 50, Licensing of Commercial Cannabis Operations, to the Santa Barbara County Code,” and waive reading the Ordinance in full;

c) Set a hearing on the Administrative Agenda for December 11, 2018, to consider the adoption (Second Reading) of an amendment to the Cannabis Business Licensing Ordinance;

d) 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;

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;

On the December 11, 2018 Administrative Agenda:

- a) Adopt (Second Reading) the amendment to Ordinance No. 5037 which added Chapter 50 to the County Code to make Chapter 50 operational in the Coastal Zone;
- b) Read title, “An Ordinance Amending Ordinance No. 5037 Which Added Chapter 50, Licensing of Commercial Cannabis Operations, to the Santa Barbara County Code,” and waive reading the Ordinance in full;
- c) 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.

A motion was made by Supervisor Lavagnino, seconded by Supervisor Hartmann, that this matter be Set for a hearing, as follows: December 4, 2018 in Santa Maria (EST. TIME: 15 MIN.).The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

Resolutions to be Presented

A-28) SUPERVISOR WOLF [18-00920](#)

Adopt a Resolution recognizing the month of November 2018 as National Court Adoption and Permanency Month in Santa Barbara County.

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

RESOLUTION NO. 18-287

The motion carried by the following vote:

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

A-29) SUPERVISOR ADAM [18-00919](#)

Adopt a Resolution of Commendation honoring Josie Jabonillo upon her retirement from the Public Works Department after over 33 years of dedicated and faithful service to the Santa Barbara community.

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

RESOLUTION NO. 18-288

The motion carried by the following vote:

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

A-30) SUPERVISOR LAVAGNINO

[18-00921](#)

Adopt a Resolution of Commendation honoring Holly Rapson upon her retirement from the Public Health Department after over 39 years of quality care to the children and their families in the Medical Therapy Program with California Children’s Services.

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

RESOLUTION NO. 18-289

The motion carried by the following vote:

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

A-31) SUPERVISOR LAVAGNINO

[18-00928](#)

Adopt a Resolution of commendation honoring Sandy Agalos for her service to the Veteran Community as recognized by the County of Santa Barbara Commission for Women.

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

RESOLUTION NO. 18-290

The motion carried by the following vote:

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

A-32) SUPERVISOR LAVAGNINO

[18-00929](#)

Adopt a Resolution of commendation honoring Monica Diaz for her service to the Veteran Community as recognized by the County of Santa Barbara Commission for Women.

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

RESOLUTION NO. 18-291

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) (18-00001)

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

Re: County Planning Process - Ed Kalasky addressed the Board

Re: Alan Hancock College Young Farmers and Ranchers Club - Valerie Lorenzo and Rosie Diaz addressed the Board

Re: Brisa Encina Supportive Housing Project - Chris Smith, Candace Harvell, Ron Herbig, Joy Hoover, Deborah Froelick, Tara Turner, Thomas Monry, Kurt Graves, Athena Montoya, Dhani Lipsius Davis, Gary Davis, Kevin Telfer and Staci Buranen addressed the Board

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE 18-00893

HEARING - Consider recommendations regarding the Cachuma Resource Conservation District Board of Directors Appointments in Lieu of Election pursuant to California Public Resources Code section 9314, as follows: (EST. TIME: 10 MIN.)

a) Appoint five Directors to the Board of the Cachuma Resource Conservation District in lieu of election, with terms expiring on November 25, 2022 from the following list of qualified candidates:

- i) Sharyne Merritt;
- ii) Richard Russell;
- iii) LeRoy Scolari;
- iv) Johannah Bradley;
- v) James Wegis;
- vi) Ron Labastida; or
- vii) Any other qualified candidate that submits an application on or before November 9, 2018, or that presents themselves at the hearing on November 13, 2018; and

b) Determine that the appointment of the Directors to the Board of Directors of the Cachuma Resource Conservation District does not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b) (5), as the actions are organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 11:17 AM - 11:27 AM (10 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Appointed the following in Lieu of Election as Directors of the Cachuma Resource Conservation District Board to terms expiring on November 25, 2022:

- Sharyne Merritt
- Richard Russell
- Johannah Bradley
- James Wegis
- Ron Labastida

The motion carried by the following vote:

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

2) COUNTY EXECUTIVE OFFICE 18-00923

HEARING - Consider the appointment in lieu of election, of qualified individuals to Special District Boards of Directors. (EST. TIME: 10 MIN.)

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 11:28 AM - 11:37 AM (9 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Appointed the following in Lieu of Election as Directors of Special District Boards to terms expiring on December 2, 2022 as follows:

- Susie Welker to the Cuyama Valley Recreation District
- Lisa Guravitz to the Carpinteria-Summerland Fire Protection District
- Korey Capozza to the Carpinteria Valley Water District

The motion carried by the following vote:

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

3) COUNTY COUNSEL18-00904

HEARING - Consider recommendations regarding New Rule 3.5 of California's Rules of Professional Conduct for Lawyers: Recommended Local Rule(s) for Communications with Members of County Boards and Commissions Acting in an Adjudicative Capacity; and Recommended Local Rule Against Gifts Beyond the Limits of California's Political Reform Act, as follows: (EST. TIME: 30 MIN.)

a) Pursuant to new Rule 3.5(b) of California's Rules of Professional Conduct for lawyers which became effective on November 1, 2018, reinforce and adopt as a local rule for communications with members of the Board of Supervisors and all other County boards and commissions for which the Board of Supervisors is the governing legislative body, that the County Counsel (and Deputy County Counsels and Outside Counsel hired by the County) as the statutory legal advisor to the Board of Supervisors and the County, may continue to provide confidential attorney-client legal advice on the merits of adjudicative matters, including planning, zoning and subdivision matters;

b) Pursuant to new Rule 3.5(b) of California's Rules of Professional Conduct for lawyers which became effective on November 1, 2018 -- and in addition to the local rule at Recommended Action (a), above -- provide direction about any other potential local rule(s) concerning communications with members of the Board of Supervisors and all other County boards and commissions acting in an adjudicative capacity by: 1) County officers, employees or appointees who are lawyers, but do not practice law from within the Office of County Counsel; and/or 2) all other lawyers;

c) Pursuant to new Rule 3.5(a) of California's Rules of Professional Conduct for lawyers which became effective on November 1, 2018, reinforce and adopt as a local rule that any gifts from lawyers to members of the Board of Supervisors and/or members of all other County boards and commissions and/or to County employees, shall be regulated by the Political Reform Act; and

d) Find that the proposed actions are not a "project" under California Environmental Quality Act Guidelines Section 15378(b)(5) in that they are organizational or administrative activities of the government that will not result in direct or indirect physical changes to the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:38 AM - 11:59 AM (21 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Approved;

b) Adopted as additional local rules, as reflected in Slides 8 and 9 of County Counsel's PowerPoint presentation dated November 13, 2018, and as summarized below that:

1. County officers, appointees or employees who are lawyers, but do not practice law from within the Office of County Counsel: 1) may continue to communicate with members of the Board of Supervisors and all other County boards and commissions on the merits of adjudicative matters, including planning, zoning, and subdivision matters; and 2) those communications shall be disclosed by members of those boards and commissions as part of their "ex parte" disclosures at hearings; and

2. All lawyers who neither: a) practice law from within the Office of County Counsel; nor b) are County officers, appointees or employees who are lawyers, but do not practice law from within the Office of County Counsel:

1) may continue to communicate with members of the Board of Supervisors and all other County boards and commissions on the merits of adjudicative matters, including planning, zoning, and subdivision matters; and

2) those communications shall be disclosed by members of those boards and commissions as part of their "ex parte" disclosures at hearings

c) Approved; and

d) Approved.

The motion carried by the following vote:

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

4) COUNTY EXECUTIVE OFFICE

18-00905

HEARING - Consider recommendations regarding Fiscal Years (FY) 2019-2024 Five-Year Forecast, as follows: (EST. TIME: 1 HR.)

- a) Receive and file the Fiscal Year 2019-2024 Five-Year Forecast, including potential fiscal issues facing the County in the coming Fiscal Years; and
- b) Determine pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378 that the above activity is not a project under the CEQA.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 12:01 PM - 12:41 PM (40 MIN.)

Received and filed staff presentation and conducted public hearing.

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

5) COUNTY EXECUTIVE OFFICE

18-00906

HEARING - Consider recommendations regarding an update on Cannabis Compliance, Enforcement and Taxation, as follows: (EST. TIME: 45 MIN.)

- a) Receive an update on the status of cannabis land use permitting, business licensing, enforcement against unlicensed operators and State licensing;
- b) Adopt a Resolution authorizing the Sheriff’s Office to access state and federal level criminal history checks for cannabis business license applicants as required by Section 50-11 of the Cannabis Business License Ordinance; and
- c) Find that the proposed actions are an administrative activities of the County, which will not result in direct or indirect changes to the environment and therefore are not a “project” as defined for the purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

HEARING TIME: 3:07 PM - 4:00 PM (53 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Directed staff to calculate the staffing consequences to the Planning and Development Department Work Program necessary to examine allowing for and potential locations of a testing facility in the County.

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 Adam, seconded by Supervisor Hartmann, that this matter be acted on as follows:

- a) Received and filed;**
- b) Adopted.**

RESOLUTION NO. 18-292

c) Approved.

The motion carried by the following vote:

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

6) PLANNING AND DEVELOPMENT

18-00789

HEARING - Consider recommendations regarding the adoption of amendments to the County Land Use and Development Code (LUDC) and Article II, the Coastal Zoning Ordinance (Article II), to streamline the permit process for Agricultural Employee Dwellings (AEDs) in the Agriculture I (AG-I) and Agriculture II (AG-II) zones in the unincorporated areas of Santa Barbara County, as follows: (EST. TIME: 1 HR. 30 MIN.)

a) Consider recommendations regarding Case No. 18ORD-00000-00002 (LUDC Amendment), as follows:

- i) Make the findings for approval, including California Environmental Quality Act (CEQA) findings;
- ii) Determine that the Negative Declaration (14NGD-00000-00014) adopted for the 2015-2023 Housing Element Update (Housing Element) fulfills the environmental review requirements for this project and no subsequent environmental document shall be prepared pursuant to CEQA Guidelines Section 15162; and
- iii) Adopt an Ordinance (Case No. 18ORD-00000-00002) amending Section 35-1, the LUDC, of Chapter 35, Zoning, of the Santa Barbara County Code; and

b) Consider recommendations regarding Case No. 18ORD-00000-00003 (Article II Amendment), as follows:

- i) Make the findings for approval, including CEQA findings;
- ii) Determine that the Negative Declaration (14NGD-00000-00014) adopted for the Housing Element fulfills the environmental review requirements for this project and no subsequent environmental document shall be prepared pursuant to CEQA Guidelines Section 15162; and
- iii) Adopt an Ordinance (Case No. 18ORD-00000-00003) amending Article II of Chapter 35, Zoning, of the Santa Barbara County Code.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 4:01 PM - 5:35 PM (1 HR. 34 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Provided conceptual direction to staff and continued the matter to December 11, 2018 in Santa Barbara. No further action taken.

The motion carried by the following vote:

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

Adjourned at 5:37 PM

Adjourned to

Tuesday, December 4, 2018

Joseph Centeno Betteravia Government Administration Building

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

Challenges

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

Announcements

The meeting of Tuesday, November 13, 2018 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, November 15, 2018, at 5:00 PM and on Saturday, November 17, 2018, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>