County of Santa Barbara

BOARD OF SUPERVISORS



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

Agenda

Tuesday, August 29, 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, the Water Agency, the Laguna County Sanitation District, 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: <u>www.countyofsb.org</u>

Please see page two of this agenda for public participation options for the Board of Supervisors Meetings. Persons may address the Board on any matter listed on the agenda. Matters not listed on the agenda may be addressed during the public comment period at the conclusion of the administrative agenda.

The Santa Barbara County Board of Supervisors currently provides in-person participation as well as remote participation until further notice.

Board members and the public may participate from the Joseph Centeno Betteravia Government Administration Building Board Hearing Room, 511 Lakeside Parkway, Santa Maria.

The following methods of participation are available to the public:

1. You may observe the live stream of the Board meetings in the following ways:

- Televised in English and Spanish (SAP channel via Comcast and Cox) on local cable channel 20;
- Online at: https://www.countyofsb.org/1333/CSBTV-Livestream; and
- YouTube at: (Closed Captioning Available)

2. If you wish to provide public comment, the following methods are available:

- **Distribution to the Board of Supervisors** - Submit your comment via email prior to 5:00 PM on the day prior to the Board meeting. Please submit your comment to the Clerk of the Board at: sbcob@countyofsb.org. Your comment will be distributed to the Board and posted online. Whether the comment is formally part of the record depends on the agenda item it is submitted for and its length and time of submittal as set out in Board Resolution 91-333 (Land Use).

- Attend the Meeting In-Person - Individuals are allowed to attend and provide comments at the Board meeting in-person. Please note, we are following all local and State guidelines and are no longer requiring face coverings indoors. Please be advised that the Public Health Department is still strongly encouraging County staff and members of the public to mask and socially distance themselves in public areas.

- Attend the Meeting by Zoom - Individuals wishing to provide public comment remotely during the Board meeting can do so via Zoom by clicking the below link to register in advance.

Register in advance for this meeting: <<u>https://countyofsb.zoom.us/webinar/register/WN_msymSxF0RKW4jDrydCV2mA></u>

After registering, you will receive a confirmation email containing important information about joining the webinar. Please review the Zoom protocols below, as follows:

1. Once the Chair has announced the item you want to comment on, please join the meeting.

2. You will be placed on mute until it is your turn to speak. You will be able to hear the Board meeting live after calling in and will need to turn off or mute your TV or the web stream to avoid sound interference.

3. The Clerk will call you by name. When removed from mute, you will hear a notification that your line has been unmuted. **If you are using a touchtone phone, you may need to press *6.**

4. Each person may address the Board for up to three minutes at the discretion of the Chair.

5. When your time is up or you have concluded your comments, please hang up or log out.

If you have any questions or if you are participating in the hearing telephonically or electronically and need a disability-related modification or accommodation or have any issues attempting to access the hearing, please contact the Clerk of the Board's Office at (805) 568-2240.

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, or any special accommodations, please contact the Clerk of the Board at (805) 568-2240 or sbcob@countyofsb.org. 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.

Disclosure of Campaign Contributions

Pursuant to Government Code section 84308, members of the Board of Supervisors are disqualified and not able to participate in any agenda item involving contracts (other than competitively bid, labor, or personal employment contracts), franchises, discretionary land use permits and other entitlements if the Board member received more than \$250 in campaign contributions from the applicant or contractor, an agent of the applicant or contractor, or any financially interested participant who actively supports or opposes the County's decision on the agenda item since January 1, 2023. Applicants, appellants, contractors, agents or any financially interested participant who actively supports or opposes the County's decision on the agenda item who have made campaign contributions totaling more than \$250 to a Board member since January 1, 2023, are required to disclose that fact for the official record of the subject proceeding. Disclosures must include the amount and date of the campaign contribution and identify the recipient Board member and may be made either in writing to the Clerk of the Board of Supervisors prior to the subject hearing or by verbal disclosure at the time of the hearing.

Closed Session

The Board of Supervisors conducts a Closed Session between 12:00 P.M. and 1:00 P.M. and at 8:00 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). Members of the public may address the Board on Closed Session Agenda items during the General Public Comment period. For information related to Closed Session announcements please contact County Counsel at (805) 568-2950.

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.

9:00 A.M. Convened to Regular Session

Roll Call

Pledge of Allegiance

Approval of Minutes of the August 22, 2023 Meeting

County Executive Officer's Report

<u>23-00001</u>

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.

9:30 A.M. Recessed to Closed Session

Closed Session

<u>23-00844</u>

PUBLIC EMPLOYEE APPOINTMENT / RE-APPOINTMENT (Paragraph (1) of subdivision (b) of Government Code section 54957)

Human Resources Director.

Report from Closed Session

23-00831

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) <u>AUDITOR-CONTROLLER'S OFFICE</u>

Consider recommendations regarding Establishing Property Tax Rates and Levying Taxes for Fiscal Year 2023-2024, as follows:

a) Adopt a resolution establishing the property tax rates and levying taxes for the taxing agencies in the County of Santa Barbara for the Fiscal Year 2023-2024; and

b) 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.

ADDENDUM

Item A-2) on the Administrative Agenda is amended, as follows:

A-2) <u>BEHAVIORAL WELLNESS DEPARTMENT</u>

Consider recommendations regarding an approval to issue Request for Proposals for services at the Santa Barbara County Crisis Stabilization Unit Calle Real Campus Fiscal Years 2023-2028, as follows:

a) Approve and authorize the Director of the Behavioral Wellness Department or designee to issue a Request for Proposals, to contract out the operation and delivery of services of the County's Stabilization Unit located on the County's Calle Real Campus in Santa Barbara through June 30, 2028; and

b) Determine that the above actions are exempt from the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA guidelines, as organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

A-3) BEHAVIORAL WELLNESS DEPARTMENT

Consider recommendations regarding an Agreement for Services of Independent Contractor with Vista Pacifica Enterprises, Inc. for the provision of mental health services and residential treatment services, as follows:

a) Approve, ratify, and authorize the Chair to execute an Agreement for Services of Independent Contractor with Vista Pacifica Enterprises, Inc., (not a local vendor), an Institution for Mental Disease and skilled nursing facility for the provision of mental health services and residential treatment services for a total contract amount not to exceed \$4,575,000.00; inclusive of \$1,475,000.00 for Fiscal Year (FY) 2023-2024, \$1,525,000.00 for FY 2024-2025, and \$1,575,000.00 for FY 2025-2026, for the period July 1, 2023 through June 30, 2026;

b) Delegate to the Director of the Department of Behavioral Wellness or designee the authority to suspend, delay, or interrupt the 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, adjust the Maximum Daily Rate per Exhibit B-1, and amend the program goals, outcomes, and measures per Exhibit E, 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 funding mechanisms or other 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-4) <u>BEHAVIORAL WELLNESS DEPARTMENT</u>

23-00833

Consider recommendations regarding Sylmar Health and Rehabilitation Center, Inc., CF Merced Behavioral, LLC, and Crestwood Behavioral Health, Inc. Fiscal Years (FYs) 2023-2026 Services Agreement Renewals for Institutions for Mental Disease and Skilled Nursing Facility Services, as follows:

a) Approve, ratify, and authorize the Chair to execute an Agreement for Services of Independent Contractor with Sylmar Health and Rehabilitation Center, Inc. (not a local vendor) for the provision of mental health services and residential treatment services for a total maximum contract amount not to exceed \$3,240,000.00, inclusive of \$1,050,000.00 for FY 2023-2024, \$1,080,000.00 for FY 2024-2025, and \$1,110,000.00 for FY 2025-2026, for the period of July 1, 2023, through June 30, 2026;

b) Approve, ratify, and authorize the Chair to execute an Agreement for Services of Independent Contractor with CF Merced Behavioral, LLC dba Merced Behavioral Center (not a local vendor) for the provision of mental health services and residential treatment services for a total maximum contract amount not to exceed \$1,305,000.00, inclusive of \$435,000.00 per FY, for the period of July 1, 2023, through June 30, 2026; c) Approve, ratify, and authorize the Chair to execute an Agreement for Services of Independent Contractor with Crestwood Behavioral Health, Inc. (not a local vendor) for the provision of mental health services and residential treatment services for a total maximum contract amount not to exceed \$1,800,000.00, inclusive of \$580,000.00 for FY 2023-2024, \$600,000.00 for FY 2024-2025, and \$620,000.00 for FY 2025-2026, for the period of July 1, 2023, through June 30, 2026;

d) Delegate to the Director of the Department of Behavioral Wellness or designee the authority to suspend, delay, or interrupt services under the Agreement for convenience and make immaterial changes to the Agreement per Sections 20 and 26 of the Agreements, amend the program goals, outcomes, and measures per the Exhibits E, and authorize, in writing, changes to the rates, per the Exhibit B-1s all without altering the maximum contract amount and without requiring the Board's approval of an amendment of each Agreement, subject to the Board's ability to rescind this delegated authority at any time; and

e) Determine that the above actions are government funding mechanisms or other 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-5) <u>BEHAVIORAL WELLNESS DEPARTMENT</u>

23-00840

Consider recommendations regarding a First Amendment to the Services Agreement for Mental Health Services with Olive Crest for Fiscal Years (FYs) 2022-2024, as follows:

a) Approve, ratify, and authorize the Chair to execute a First Amendment to the Agreement for Services of Independent Contractor with Olive Crest (not a local vendor), referenced as BC 21-269, to implement California Advancing and Innovating Medi-Cal (CalAIM) Behavioral Health Payment Reform changes to the Agreement, update the staffing requirements for the Short Term Residential Therapeutic Program (STRTP), update the language in the Statement of Work for the STRTP and In-Home Behavioral Services (IHBS) and Intensive Care Coordination (ICC) programs, and decrease Mental Health funding by \$225,000.00 for FY 2023-2024 for a new total contract maximum amount not to exceed \$1,775,000.00 (inclusive of \$1,000,000.00 for FY 2022-2023 and \$775,000.00 for FY 2023-2024) for the period of July 1, 2022 through June 30, 2024; 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-6) <u>BEHAVIORAL WELLNESS DEPARTMENT</u>

Consider recommendations regarding Family Service Agency of Santa Barbara County (FSA) Fiscal Years (FY's) 2021-2024 Second Amendment and Termination, and New FY's 2023-2027 Services Agreement for Alcohol and Drug Program (ADP) and Mental Health Services, as follows:

a) Approve, ratify, and authorize the Chair to execute a Second Amendment to the FYs 2021-2024 Agreement for Services of Independent Contractor with FSA (BC 21-059), a California nonprofit (a local vendor), to update the Federal Award Identification Tables for FY 2021-2022 and FY 2022-2023, change the effective end date of Exhibit A-3-Statement of Work: ADP Step Down Housing - Case Management Services to June 30, 2022, and reallocate \$46,124.00 in ADP Prop 47 funding from FY 2022-2023 to FY 2021-2022, with no change to the maximum contract amount of \$6,287,212.00, inclusive of \$639,658.00 in ADP funding (\$323,658.00 for FY 2021-2022; \$158,000.00 for FY 2022-2023; and \$158,000.00 for FY 2023-2024) and \$5,647,554.00 in Mental Health funding (\$1,882,518.00 per FY) for the period of July 1, 2021 through June 30, 2024;

b) Approve, ratify, and authorize the termination of the FY 2021-2024 Agreement for Services of Independent Contractor with FSA (BC 21-059) for convenience, effective June 30, 2023, to enter into a new services agreement with FSA as set forth below in Recommended Action C following the award of the Primary Prevention Services Request for Proposals for FY 2023-2027 to FSA;

i) Authorize the Director of the Department of Behavioral Wellness or designee to issue a letter to FSA terminating the FY 2021-2024 Agreement; and

ii) Delegate to the Director of the Department of Behavioral Wellness or designee the authority to take actions necessary for the winddown of the FY 2021-2024 Agreement, subject to the Board's ability to rescind this delegated authority at any time;

c) Approve, ratify, and authorize the Chair to execute an Agreement for Services of Independent Contractor with FSA, a California nonprofit (a local vendor), for the provision of children's and adults' mental health services and substance use prevention services, for a total maximum contract amount not to exceed \$11,960,920.00, inclusive of \$632,000.00 in ADP funding (\$158,000.00 per FY) and \$11,328,920.00 in Mental Health funding (\$2,832,230.00 per FY), for the period of July 1, 2023 through June 30, 2027;

i) Delegate to the Director of the Department of Behavioral Wellness or designee the

authority to suspend, delay, or interrupt the services under the FY's 2023-2027 Agreement for convenience and make immaterial changes to the Agreement per Sections 20 and 26 of the Agreement, respectively; amend service locations and program staffing requirements per Exhibits A-2 and A-4 through A-8; reallocate funds between funding sources with discretion per Exhibit Bs; and amend the program goals, outcomes, and measures per Exhibit Es, all without altering the maximum contract amount and without requiring the Board's approval of an amendment of the FY 23-27 Agreement, subject to the Board's ability to rescind this delegated 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) <u>COMMUNITY SERVICES DEPARTMENT</u>

Consider recommendations regarding a conditional reservation of county affordable housing funds to Patterson Point Apartments, Second District, as follows:

a) Approve a reservation of County affordable housing funds for the Patterson Point housing development in an amount not to exceed \$1,488,000.00 until September 30, 2024;

b) Authorize the Director of Community Services Department (CSD) to sign a funding reservation letter addressed to Santa Barbara County Housing Authority (HASBARCO) indicating a conditional reservation County funds in the amount of \$1,488,000.00 for the Patterson Point Apartments Project; and

c) Determine that the approval of these funding allocations is not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4) as it is the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

A-8) <u>COMMUNITY SERVICES DEPARTMENT</u>

23-00834

23-00829

Consider recommendations regarding Approval of Subrecipient Agreements with Good Samaritan Shelter, using California Encampment Resolution Funding (ERF) and American Rescue Plan Act (ARPA) State and Local Recovery Funds for Outreach, Engagement & Permanent Housing Flexible Funds, as follows:

a) Approve and authorize the Chair of the Board of Supervisors to execute a Subrecipient Agreement with Good Samaritan Shelter, a California nonprofit public benefit corporation, using California ERF funds for a total contract maximum amount not to exceed
\$3,016,687.50, for street outreach to people residing in encampments, specifically in dangerous and heavily impacted waterways near State rights-of-way (ROW) for a term beginning August 30, 2023, and ending December 31, 2025, subject to annual appropriations and budget approval (ERF Subrecipient Agreement);

b) Approve and authorize the Chair of the Board of Supervisors to execute a Subrecipient Agreement with Good Samaritan Shelter using ARPA funding for COVID-19 Recovery in Housing and Homelessness funds for a total contract maximum amount not to exceed \$50,000.00, for personal property storage for people moving from encampments, specifically in dangerous and heavily impacted waterways near State ROW for a term beginning August 30, 2023, and ending June 30, 2024, subject to annual appropriations and budget approval (ARPA Subrecipient Agreement); and

c) 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)(4), finding that the project is a creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-9) <u>COUNTY COUNSEL</u>

Consider recommendations regarding an Amendment to the Agreement with Spence, Desenberg & Lee, PLLC, an Outside Bankruptcy Counsel, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute Amendment No. 2 to the Agreement for Professional Legal Services with Spence, Desenberg & Lee, PLLC, extending the term to September 1, 2024 and increasing the not-to-exceed amount by \$10,000.00 to \$130,000.00; and

b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5) because they are administrative activities of government that will not result in direct or indirect physical changes in the environment.

A-10) <u>COUNTY EXECUTIVE OFFICE</u>

Consider recommendations regarding the renewal of software licensing with Accela, Inc. for Cannabis Business Licensing, as follows:

a) Approve and authorize the County Executive Officer or designee to execute an Order Form subject to the County's Master Subscription Agreement with Accela, Inc (Board Contract Number BC19-110) for subscription services for Cannabis Business Licensing totaling 19 user licenses for a total contract amount not to exceed \$205,224.40 for a term of August 31, 2023 through June 30, 2026, subject to annual budget allocations; and

b) 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.

<u>23-00806</u>

<u>23-00824</u>

A-11)

a) Approve, ratify, and authorize the Chair to execute the Subrecipient Agreement with The Fund for Santa Barbara to update the Central Coast Regional Equity Study and development of shared online equity resources for a maximum contract amount not to exceed \$50,000.00 for the period of July 1, 2023 through June 30, 2024, to be paid from American Rescue Plan Act funds; and

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b) Determine that the proposed action does not constitute a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(4) of the CEQA Guidelines, because it consists of the creation of a government funding mechanism or other government fiscal activities, which does not involve any commitment to any specific project which may result in a potentially significant impact on the environment, and pursuant to Section 15378(b)(5), since the activity is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment.

A-12) <u>COUNTY EXECUTIVE OFFICE</u>

COUNTY EXECUTIVE OFFICE

Approve Budget Revision Request No. 009235 (Majority Vote Required); and Budget Revision Request Nos. 0008995; 0008996; 0009003; 0009054; 0009123; 0009206; 0009211; 0009214; 0009217; 0009218; 0009220; 0009246; 0009254; 0009256; 0009258; and 0009273 (4/5 Vote Required).

A-13) <u>COUNTY EXECUTIVE OFFICE</u>

Consider recommendations regarding amendments to the Cannabis Business Licensing Fee Ordinance, as follows:

a) Consider the adoption (Second Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara amending Ordinance No. 5181, "An Ordinance Establishing the Cannabis Business License Fee"; and

b) Determine for the purposes of the California Environmental Quality Act (CEQA) that:

 i) Pursuant to CEQA Guidelines section 15168(c), 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) (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 due to the involvement of new significant environmental impacts or a substantial increase in the severity of previously identified significant effects; ii) no substantial changes

Printed on 4/14/2025

have occurred with respect to the circumstances under which the ordinance is undertaken which require major revisions of the PEIR due to the involvement of new significant environmental impacts or a substantial increase in the severity of previously identified significant effects; 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 that shows any of the elements of CEQA Guidelines Section 15162(a)(3) apply.

A-14) COUNTY EXECUTIVE OFFICE

Consider recommendations regarding the Last Mile Federal Funding Account Grant opportunity for broadband initiatives and reallocation of American Rescue Plan Act (ARPA) Funds for broadband consulting and grant writing services, as follows: (4/5 Vote Required)

a) Approve and ratify County support and partnership with Rural County Representatives of California (RCRC) on an application for the Last Mile Federal Funding Account for up to four of the County's identified priority areas; Guadalupe, Cuyama, Los Alamos and/or Casmalia;

b) Approve and authorize the Chair of the Board to sign letters of support upon request of a local Internet Service Provider applying for Last Mile Federal Funding Account monies in Santa Barbara County;

c) Approve and authorize the County Executive Officer, or designee, to submit a grant application on behalf of the County for Last Mile Federal Funding Account monies as needed;

d) Approve the reallocation of available ARPA funding in an amount up to \$115,000.00 for consulting services with the Broadband Consortium of the Pacific Coast (BCPC) (\$100,000.00) and grant writing services, as needed (\$15,000.00);

e) Approve the Budget Revision (BJE No. 0009221) for \$115,000.00 for consulting services; and

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

A-15) <u>FIRE DEPARTMENT</u>

23-00812

Consider recommendations regarding re-ratification and update to the Proclamation of Local Emergency caused by the January 2023 Winter Storms and Subsequent 2023 Winter Storms, Last Action July 11, 2023, as follows:

a) Adopt a Resolution re-ratifying and updating the Proclamation of Local Emergency caused by the January 2023 Storm and Subsequent 2023 Winter Storms in Santa Barbara County pursuant to Government Code Section 8630;

b) Receive an update on the Winter 2023 Storms and their impacts;

c) Direct the Office of Emergency Management to return every sixty (60) days for ratification of the Emergency until such a time that conditions dictate otherwise; and

d) Determine that these actions are exempt from the provisions of California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15061(b)(3) and 15269.

A-16) PROBATION DEPARTMENT

Consider recommendations regarding an Annual Report for Healthcare and Mental Health Services at Juvenile Facilities with Wellpath, as follows:

a) Receive and file the annual report regarding the Agreement for Medical Services with Wellpath and delivery of clinical treatment by Department of Behavioral Wellness (DBW) for youth detained in juvenile facilities; and

b) Determine that the recommended action is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), since the recommended action is a government administrative activity that will not result in direct or indirect physical changes in the environment.

A-17) PROBATION DEPARTMENT, SHERIFF-CORONER OFFICE

23-00811

Consider recommendations regarding the Fiscal Year 2023-2024 Agreement with Alcohol Monitoring Systems, Inc. dba SCRAM Systems (AMS), as follows:

a) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor with Alcohol Monitoring Systems, Inc. dba SCRAM Systems (AMS) to provide Global Position Systems (GPS), leased equipment, monitoring, training, and support for the enhanced supervision of adult and juvenile offenders, with a total contract amount not to exceed \$267,391.20 (Agreement) from September 1, 2023 through June 30, 2024;

b) Authorize the Chief Probation Officer or designee to approve subsequent immaterial changes to the agreement including authorizing additional services, amending program staffing requirements, amending service locations, and adding program goals, outcomes, and measures, and reallocation of funds between funding sources. Authorize the Chief Probation Officer or designee to approve line-item budget changes to Attachment B-1 of the Agreement in an amount not to exceed 10% of the stated line-item budgeted amounts for each service. Immaterial changes can be made as long as the total contract amount of the agreement is not increased, and subject to the Board's ability to rescind this delegated authority at any time, and provided that in no event shall any such amendment extend the term of the agreement; and

c) Determine that the above actions are government fiscal activities of 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-18) PUBLIC HEALTH DEPARTMENT

Consider recommendations regarding Tuberculosis (TB) Control Program Acceptance of Enhanced Prevention and Control Award (EPCF-4223) for Fiscal Year (FY) 2023-2024, as follows: (4/5 Vote Required)

Agenda

a) Approve, ratify, and authorize the Chair to execute an Acceptance of Award EPCF-4223 for the TB Control Program with the California Department of Public Health (CDPH) TB Control Branch to enhance the capabilities of TB prevention and control activities in Santa Barbara County. This award in the amount of \$10,000.00 for FY 2023-2024 is a one-time grant and is comprised of federal funds only with a period of performance from July 1, 2023 through June 30, 2024;

b) Approve Budget Revision Request BJE Number 0009257 to amend the Public Health Department's FY 2023-2024 Budget to add \$10,000.00 in new revenue and appropriation to be spent during the period of July 2023 through June 2024; and

c) Determine that these activities are not a project and are exempt from California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(4), since the recommended actions are government fiscal activities which do not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-19) PUBLIC WORKS DEPARTMENT

Consider recommendations regarding Rescinding and Stop Controls & Adopting Parking Restrictions in the First, Second, & Fourth Districts, as follows:

a) Adopt a Resolution to establish new stop controls and parking restrictions in the First, Second, and Fourth Districts;

b) Adopt a Resolution to rescind parking restrictions in the Fourth District; and

c) Find that the proposed actions are for the operation and maintenance of an existing public facility, involving negligible, or no expansion of use beyond that which presently exists, that the proposed action is therefore exempt from California Environmental Quality Act pursuant to 14 CCR 15301(c), and approve and direct staff to file the Notice of Exemption on that basis.

A-20) <u>PUBLIC WORKS DEPARTMENT</u>

Consider recommendations regarding an Agreement for Services of Independent Contract Hamner, Jewell, & Associates for Modoc Multi-Use Path Phase II Right of Way Acquisition; County Project No. 862416; Second District, as follows:

a) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor with Beacon Integrated Professional Resources Inc., DBA, Hamner, Jewell & Associates, for Modoc Multi-Use Path right of way acquisition for a total amount not to

23-00830

exceed \$25,500.00 with a term of August 29, 2023 to June 30, 2025;

b) Approve and authorize the Director of Public Works to, in accordance with the Agreement, extend the period of performance for up to a period of one year (Section 4.B); make immaterial amendments (Section 34); and, suspend performance (Section 44); and

c) Determine the above actions are not a project under the California Environmental Quality Act guidelines pursuant to Section 15378(b)(5) because it consists of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

A-21) <u>PUBLIC WORKS DEPARTMENT</u>

23-00823

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

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 (4/5 vote required);

c) Direct staff to return to the Board at the next regular meeting, or every 14 days in the case of consecutive weekly regular meetings, 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; and

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(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-22) <u>PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, WATER</u> <u>23-00826</u> <u>AGENCY</u>

Consider recommendations regarding a Resolution Authorizing the Public Works Director to Execute an Amendment to Extend the Cachuma Project Master Contract, as follows: (4/5 Vote Required)

Acting as the Board of Directors of the Santa Barbara County Water Agency:

a) Approve and adopt a resolution authorizing the Public Works Director to execute an Amendment to the Cachuma Project Master Contract with the U.S. Bureau of Reclamation,

extending the terms and conditions of the current contract for no more than three years, upon approval of County Counsel, Auditor Controller, and Risk Manager, or their designated representatives (4/5 vote required); and

Agenda

b) Determine that the proposed actions are not projects pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(2), continuing organization or administrative activities, Section 15378(b)(5), organization or administrative activities that will not result in a direct or indirect physical change in the environment, and further, is not subject to and is exempt from the requirements of CEQA under Guidelines Section 15061(b) (3), no possibility that the activity may have a significant effect on the environment, Section 15261(a), project approved prior to November 23, 1970, and Section 15301, operation of existing facilities and direct staff to file and post the Notice of Exemption with the Clerk of the Board.

A-23) <u>SHERIFF-CORONER OFFICE</u>

Consider recommendations regarding Department of Health Care Services (DHCS) California Advancing and Innovating Medi-Cal Providing Access and Transforming Health (PATH) Justice Involved Pre-Release Grant Award to Santa Barbara County Sheriff's Office, as follows: (4/5 Vote Required)

a) Authorize, ratify, and approve the Sheriff, or designee, to accept the Grant Agreement as outlined in the "California PATH Justice Involved Planning and Capacity Building Program Acknowledgement of Grant Terms for the grant award in the amount of \$557,874.00 from DHCS with a period of performance from July 1, 2023, to December 31, 2024;

b) Accept the Providing Access and Transforming Health Justice Involved Planning and Capacity Building Program Grant Award; and

c) Find the proposed action does not constitute a "Project" within the meaning of the California Environmental Quality Act pursuant to 14 CCR 15378 (b)(4), in that it involves governmental funding mechanisms and/or fiscal activities.

Board of Supervisors

A-24) <u>SUPERVISOR NELSON</u>

Approve the appointment of James Halsell to the Behavioral Wellness Commission, term ending January 1, 2026, Fourth District.

23-00816

<u>23-00819</u>

Hearing Requests

A-25) PLANNING AND DEVELOPMENT DEPARTMENT

Set a hearing to consider the appeal of the Planning Commission approval of the Change of Ownership, Change of Guarantor, and Change of Operator for the Las Flores Pipeline System (formerly Plains All American Lines 901/903), First, Third, and Fourth Districts, as follows: (Set a Hearing for September 19, 2023. Time Estimate: 1 Hour 30 Minutes)

Agenda

a) Deny the appeal, Case No. 23APL-00027;

b) Make the required findings for approval for the Change of Ownership, Change of Guarantor, and Change of Operator, including California Environment Quality Act (CEQA) findings;

c) Determine the request is not a project pursuant to CEQA Guidelines Section 15378(b)(5); and

d) Grant de novo approval of the Change of Ownership, Change of Guarantor, and Change of Operator for Final Development Plan Permit No. 88-DPF-033 (RV01)z, 88-CP-60 (RV01) (88-DPF-25cz; 85-DP-66cz; 83-DP-25cz), subject to the Conditions of Approval.

A-26) <u>PLANNING AND DEVELOPMENT DEPARTMENT</u>

Set a hearing to consider the appeal of the County Planning Commission approval of the Calynx, Inc. Cannabis Cultivation Project, Case Nos. 23APL-00030, 23CUP-00012, and 19LUP-00000-00077, Fourth District, as follows: (Set a Hearing for September 19, 2023. Time Estimate: 40 Minutes)

a) Deny the appeal, Case No. 23APL-00030;

b) Make the required findings for approval of the Project, Case No. 23CUP-00012, including California Environmental Quality Act (CEQA) findings;

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

d) Grant de novo approval of the Project, Case No. 23CUP-00012, subject to the conditions of approval.

23-00814

Honorary Resolutions

A-27) <u>SUPERVISOR NELSON</u>

Adopt a Resolution of Commendation honoring Sheriff's Detective Paul Washington upon his retirement from the Sheriff's Office after over 25 years of faithful and distinguished service to the citizens of Santa Barbara County.

Resolutions to be Presented

A-28) <u>SUPERVISOR NELSON, SUPERVISOR LAVAGNINO</u>

Adopt a Resolution of Commendation honoring the players and coaching staff of the 14-Under Orcutt Babe Ruth team in celebration of their 2023 World Series Championship.

A-29) <u>SUPERVISOR WILLIAMS</u>

Adopt a Resolution proclaiming the month of September 2023 as National Preparedness Month in Santa Barbara County.

Approval of Administrative Agenda

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.

<u>23-00839</u>

23-00813

Departmental Agenda Planning Items and Public Hearings

1) <u>GENERAL SERVICES DEPARTMENT, PUBLIC WORKS</u> <u>DEPARTMENT, BOARD OF DIRECTORS, FLOOD CONTROL AND</u> <u>WATER CONSERVATION DISTRICT</u>

<u>23-00828</u>

HEARING - Consider recommendations regarding a Resolution of Necessity to acquire easements for the Lower Mission Creek Flood Control Project, Reach 4, Santa Barbara, California, by the Santa Barbara Flood Control and Water Conservation District for Flood Control Purposes (APNs 037-203-021; 037-203-020; 037-203-019; 037-500-CA; 037-203-011); First District, as follows: (4/5 Vote Required) (EST. TIME: 25 MIN.)

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

a) Approve, adopt and authorize the Chair to execute a Resolution of Necessity, for the acquisition of easements of real property located at 430 and 432 De La Vina Street (APN: 037-203-021); 428 De La Vina Street (APN: 037-203-020; 426 De La Vina Street (APN: 037-203-019); 414 De La Vina Street, Common Area Lot 1 (APN: 037-500-CA); 124 West Gutierrez Street (APN: 037-203-011), all in the City of Santa Barbara and hereinafter referred to, collectively, as the "Properties";

b) Authorize the Director of Public Works, or designee to execute any and all documents to expend funds for deposit with the State Treasurer's Office in a sum equal to the appraised market value of the easements, in the amount of \$1,095,846.00 for APN's 037-203-021; 037-203-020; 037-203-019; 037-500-CA; and 037-203-011, and any additional fee costs associated with the transaction, in order to acquire fee interest; and

c) After considering the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Lower Mission Creek Flood Control Project, the Findings and Statement of Overriding Considerations accepted by the Board of Directors as a Responsible Agency on May 10, 2011, and the discussion included herein, find that pursuant to California Environmental Quality Act (CEQA) Section 15162, no substantial changes are proposed, and there are no substantial changes in circumstances or new information of substantial importance regarding significant impacts or feasibility of mitigation measures and alternatives, and therefore the recommended actions are within the scope of the project covered by the aforementioned environmental documents and no new environmental document is required; and approve and direct staff to file the Notice of Determination on these bases.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

2) <u>PUBLIC WORKS DEPARTMENT, GENERAL SERVICES</u> <u>DEPARTMENT</u>

HEARING - Consider recommendations regarding a Resolution of Necessity to acquire easements for the Toro Canyon Oil Water Separator Project (APN 155-020-041), First District, as follows: (4/5 Vote Required) (EST. TIME: 25 MIN.)

a) Approve, adopt, and authorize the Chair to sign the Resolution of Necessity to acquire real property (easements) for the Toro Canyon Oil Water Separator Project (WA8231) on property owned by Mary McEwen and Dan Bellaart, Trustees of The McEwen-Bellaart Family 2015 Revocable Living Trust Dated July 22, 2015, identified on portions of County Assessor Parcel Number 155-020-041, in the unincorporated area of Santa Barbara of Toro Canyon;

b) Authorize the Director of Public Works, or designee, to execute any and all documents and to expend funds for deposit with the State Treasurer's Office in a sum equal to the appraised market value for the easements, in the amount of \$13,203.00 for APN 155-020-041, and any additional related costs and fees, in order to acquire fee interest; and

c) Find that pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15269(c) Emergency Projects, these actions are necessary to prevent or mitigate an emergency, and are part of the Toro Canyon Oil Water Separator Replacement Project which the Board previously found exempt from CEQA. A Notice of Exemption was filed with the Clerk of the Board on July 27, 2023.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

3) <u>PLANNING AND DEVELOPMENT DEPARTMENT</u>

<u>23-00815</u>

HEARING - Consider recommendations regarding the allocation of the 2022 and the 2023 Coastal Resources Mitigation Fund (CRMF) Grants, as follows: (EST TIME: 1 HR.)

a) Receive and file staff's recommendations for the 2022 and 2023 CRMF awards totaling \$680,337.00;

b) Approve the 2022 and the 2023 CRMF budgeting of funds as proposed on pages 7-9, including Table 9, of the Board Letter, along with stipulations outlined in the Staff Recommendation sections for each proposal;

c) Direct staff to prepare the proposed contractual agreements with non-County grantees, including final grant conditions, and return with contractual agreements for Board consideration and approval, including appropriate California Environmental Quality Act (CEQA) compliance;

d) Defer \$596,777.00 of acquisition monies to the Fund Deferral Program allowing to accrue for future coastal acquisition proposals; and

4)

e) Determine that budgeting CRMF funds for the recommended projects does not constitute a project within the meaning of the CEQA, pursuant to Sections 15378(b)(5) and 15378(b)(4) of the CEQA Guidelines, because it is an administrative activity of the government and creation of government funding mechanisms or other government fiscal activities, which does not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

COUNTY EXECUTIVE OFFICE, AUDITOR-CONTROLLER'S OFFICE, GENERAL SERVICES DEPARTMENT, HUMAN RESOURCES DEPARTMENT

<u>23-00841</u>

HEARING - Consider recommendations regarding a County Enterprise Resource Planning (ERP) Project Update and the Workday implementation and ongoing support, as follows: (4/5 Vote Required) (EST TIME: 30 MIN.)

a) Receive and file a County ERP Project Update;

b) Adopt a Resolution to add nine positions for implementation and ongoing support for the system: one [1.0 Full Time Employee (FTE)] Admin Office Pro position and three (3.0 FTE) Team/Project Leader-General positions to the Human Resources Department; and one (1.0 FTE) Program/Business Leader, two (2.0 FTE) EDP Systems & Program Analyst Sr, one (1.0 FTE) EDP Office Automation Specialist I, and one (1.0 FTE) Computer Systems Specialist II positions to the Information Technology Department, effective as of September 4, 2023;

c) Approve Budget Revision Request No. 0009097 which establishes the budget appropriation in the Auditor Controller, Human Resources and Information Technology departments for the implementation and ongoing support of the system at a cost of \$1,815,500.00, to be funded from the Countywide ERP Project committed fund balance set-aside in General County Programs; and

d) 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 because they consist of administrative activities of government that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

BOARD OF SUPERVISORS SEPTEMBER 2023 PROJECTED CALENDAR

The items below are projected to be placed on a Board of Supervisors agenda next month and are subject to change. Therefore, these are draft and remain so until the final agenda is created and posted on the Thursday preceding a Board of Supervisors' meeting.

For information on a particular anticipated item, please contact the department noted. For any other questions regarding the Board of Supervisors' agendas, please contact the Clerk of the Board Office at (805)568-2240.

- Amendments to Chapter 18 Health & Sanitation
 Public Health Department
 Contact: Lars Seifert LSeifert@sbcphd.org
- Comprehensive Economic Development Strategy (CEDS) Update and Presentation County Executive Office Contact: Jasmine McGinty - jmcginty@countyofsb.org
- Fiscal Year 2022-2023 Fourth Quarter Budget & Cannabis Update County Executive Office Contact: Paul Clementi - pClementi@countyofsb.org
- American Rescue Plan Act State and Local Fiscal Recovery Funds Adjustments & Status County Executive Office Contact: Ted Teyber - edteyber@countyofsb.org
- Annual Compliance and Accountability Report County Executive Office Contact: Suzann Sturz - SMSturz@countyofsb.org
- Renewable Energy Initiatives
 General Services Department
 Contact: Brandon Kaysen BKaysen@countyofsb.org
- 2023-2024 Countywide Library Agreement
 Community Services Department
 Contact: Ashley Watkins awatkins@countyofsb.org
- El Nino Preparedness
 Fire Department/Public Works
 Contact: Kelly Hubbard khubbard@countyofsb.org

- Cappello and Noel Appeal of the Las Flores Pipeline Change of Owner/Operator Planning and Development Department Contact: Jacquelynn Ybarra - jybarra@countyofsb.org
- Management Classification & Compensation Project Human Resources Department Contact: Erin Jeffery - emjeffery@countyofsb.org
- Emergency Rent Assistance Program Update Community Services Department Contact: Laurie Baker - Ibaker@countyofsb.org
- Appeal of the Calynx, Inc. Cannabis Cultivation Project Planning and Development Department Contact: Alia Vosburg - avosburg@countyofsb.org
- Adoption of Resolution Establishing The Emergency Medical Care Committee County Executive Office Contact: Ted Teyber - edteyber@countyofsb.org

Adjourned at 1:51 PM

Adjourned to

September 12, 2023

<u>Joseph Centeno Betteravia Government Administration Building</u> <u>Board Hearing Room</u> <u>511 East Lakeside Parkway</u> <u>Santa Maria</u>

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 29, 2023 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, August 31, 2023, at 5:00 PM and on Saturday, September 2, 2023, at 10:00 AM on CSBTV Channel 20.

http://www.countyofsb.org