

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

Agenda

Tuesday, May 1, 2018

9:00 AM

**COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 EAST ANAPAMU STREET, SANTA BARBARA**

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

Web Streaming of the Board of Supervisors Meetings, Agendas, Supplemental Materials and Minutes of the Board of Supervisors are available on the internet at: www.countyofsb.org

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

Board Meeting Procedures

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

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

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

Late Distribution and Ex-Parte Communication

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

Disability Access

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

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

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

Closed Session

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

9:00 A.M. Convene to Regular Session**Roll Call****Pledge of Allegiance****Approval of Minutes of the April 10, 2018 Meeting****Approval of Minutes of the Budget Workshops on April 16, April 18, and April 20, 2018**County Executive Officer's Report

18-00050

12:00 P.M. Recess to Closed Session**Closed Session**[18-00007](#)

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

Whiffen v. County of Santa Barbara, Santa Barbara County Superior Court case number 17CV04870.

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

Significant exposure to civil litigation: 1 case.

CONFERENCE WITH LABOR NEGOTIATORS
(Subdivision (a) of Government Code section 54957.6)

Employee organizations: all bargaining units, unrepresented employees, managers, and executives.
Agency-designated representatives: County Executive Officer Mona Miyasato and Human Resources Director Lori Gentles.

Report from Closed Session

Administrative Agenda

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

Administrative Items**A-1) BEHAVIORAL WELLNESS [18-00287](#)**

Consider recommendations regarding Behavioral Wellness Alcohol and Drug Prevention Services Fiscal Years (FY) 2018-2020, as follows:

- a) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with Fighting Back Santa Maria Valley (a local vendor), for the provision of substance use prevention services, for a total contract amount not to exceed \$120,000.00 per FY, and a total maximum contract amount not to exceed \$240,000.00 for the period of July 1, 2018 through June 30, 2020;
- b) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with Santa Barbara Future Leaders of America (not a local vendor), for the provision of substance use prevention services, for a total contract maximum not to exceed \$120,000.00 per FY, and a total maximum contract amount not to exceed \$240,000.00 for the period of July 1, 2018 through June 30, 2020;
- c) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with Santa Ynez Valley, People Helping People (a local vendor), for the provision of substance use prevention services, for a total contract maximum not to exceed \$171,000.00 per FY, and a total maximum contract amount not to exceed \$342,000.00 for the period of July 1, 2018 through June 30, 2020; 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-2) BEHAVIORAL WELLNESS[18-00288](#)

Consider recommendations regarding a Second Amendment to Fiscal Years (FY) 2015-2018 Hometown Pharmacy Contract, as follows:

- a) Approve and authorize the Chair to execute a Second Amendment for Services of Independent Contractor with Hometown LTC Pharmacy (a local vendor), to increase the FY 2017-2018 contract by \$240,000.00, to allow for payment for continued pharmaceutical services, for a total multiyear contract maximum amount not to exceed \$990,000.00 through June 30, 2018; and
- b) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15378(b)(5) since the recommended actions are government administrative activities which do not involve commitment to any specific project which may result in potentially significant physical impact on the environment.

A-3) BEHAVIORAL WELLNESS[18-00289](#)

Consider recommendations regarding a Revenue Agreement with Relias Learning, Fiscal Year (FY) 2018-2019, as follows:

- a) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor with Relias Learning LLC (not a local vendor), to provide an online environment through their e-Commerce Academy site for contracted Community Based Organization staff to obtain required Continuing Education Units, for a maximum contract amount not to exceed \$2,500.00, offset by any revenues from user fees, during the period May 1, 2018 through April 30, 2019; and
- b) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15378(b)(5) since the recommended actions are government administrative activities which do not involve commitment to any specific project which may result in potentially significant physical impact on the environment.

A-4) COMMUNITY SERVICES[18-00276](#)

Consider recommendations regarding a Civil Engineering Services Agreement with Stantec Consulting Services, Inc. for the Point Sal Access Road February 2017 Storm (DR4308) Repair; Third District, as follows:

- a) Approve and authorize the Chair to execute the professional services agreement with Stantec Consulting Services, Inc. (Contractor) in the amount not to exceed \$37,900.00 to allow the Contractor to provide civil engineering, surveying and geotechnical services for the Point Sal Access Road February 2017 Storm (DR-4308) Repair project; and
- b) Determine that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of the State Guidelines for the Implementation of CEQA which consists of the repair or minor alteration of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety), involving negligible or no expansion of existing use, and direct staff to file the CEQA Notice of Exemption on that basis.

A-5) COMMUNITY SERVICES[18-00277](#)

Consider recommendations regarding the Third Amendment to the Tenant-Based Rental Assistance Subrecipient Agreement with the Housing Authority of the County of Santa Barbara to extend the term, as follows:

- a) Approve and Authorize the Chair to execute the Third Amendment to the Tenant-Based Rental Assistance Subrecipient Agreement with the Housing Authority of the County of Santa Barbara to extend the term from July 1, 2016 through June 30, 2018 to July 1, 2016 through June 30, 2019; and
- b) Determine that the approval of the funding increase in the Third Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), finding that the action is a creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment, and direct staff to file a Notice of Exemption.

A-6) COUNTY COUNSEL[18-00301](#)

Consider recommendations regarding a contingent fee contract with The Law Firm of Baron and Budd, P.C., for litigation services in an action to be filed against Southern California Edison, as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute a contingent fee Professional Services Contract with the law firm of Baron and Budd, P.C., for the preparation and handling of a litigation action to be filed against Southern California Edison, by Santa Barbara County and its related public entities (including the Santa Barbara County Fire Protection District and the Santa Barbara Flood Control and Water Conservation District), to recover damages from the December 2017 Thomas Fire and the resulting debris flow; and
- b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because it consists of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.

A-7) COUNTY COUNSEL[18-00302](#)

Consider recommendations regarding an Agreement for Professional Legal Services with Outside Counsel Andruess/Podberesky, as follows: (4/5 Vote Required)

- a) Approve and authorize the Chair to execute an Agreement for Professional Legal Services between the County of Santa Barbara and the firm of Andruess/Podberesky in an amount not to exceed \$250,000.00 without written amendment; and
- b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because it consists of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.

A-8) COUNTY EXECUTIVE OFFICE [18-00269](#)

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

A-9) COUNTY EXECUTIVE OFFICE [18-00270](#)

Consider recommendations regarding a donation for the Thomas Fire and January 9, 2018 Debris Flow Expert Consultants, as follows:

a) Accept a donation in the amount of \$140,000.00 from Partners for Resilient Communities for the County of Santa Barbara to hire experts for augmented disaster consulting services related to the Thomas Fire and January 9 Debris Flow; and

b) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) that the above actions are not a project subject to CEQA review, because it is a government activity that does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-10) COUNTY EXECUTIVE OFFICE [18-00260](#)

Consider recommendations regarding the adoption of an Ordinance adding Chapter 50 establishing a Commercial Cannabis Business License, as follows:

a) Consider the adoption (Second Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara adding Chapter 50 to the Santa Barbara County Code, establishing a Commercial Cannabis Business License; and

b) Make the findings and determine for the purposes of the California Environmental Quality Act (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-11) PLANNING AND DEVELOPMENT [18-00282](#)

Consider recommendations regarding Coastal Resource Enhancement Fund (CREF) Grant Contract, Second District, as follows:

- a) Approve and authorize the Chair to execute a CREF contract with the Santa Barbara Maritime Museum, in the amount of \$10,000.00, to fabricate and install a History of Oil exhibit, for the period of May 1, 2018 to February 15, 2019;
- b) Approve and authorize the Director of Planning and Development, or designee, to: extend performance in accordance with Section 3 of the contract for up to and not to exceed a period of one year for good cause; to terminate the contract in accordance with Section 4 and Section 15 of the contract for failure of Grantee to provide matching funds; and to approve project changes in accordance with Section 5 of the contract, including changes to project description, reduction in the overall project budget or change in a budget item of 10 percent or more; and
- c) Determine that the allocation of the CREF grant is exempt from California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the State Guidelines for the implementation of CEQA.

A-12) PLANNING AND DEVELOPMENT

[18-00283](#)

Consider recommendations regarding Southern California Gas Company Pipeline Repair Work Emergency Permit, Case No. 18EMP-00000-00003, First District, as follows:

- a) Receive and file a report on Emergency Permit 18EMP-00000-00003, which authorized the inspection, excavation and repair of twelve segments on four different high pressure natural gas pipelines;
- b) Determine that issuance of the emergency permit is exempt from the California Environmental Quality Act (CEQA) pursuant CEQA Guidelines section 15269(c), as this action was necessary to prevent or mitigate an emergency; and
- c) Determine that receiving and filing the report is not a project pursuant to 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-13) PLANNING AND DEVELOPMENT[18-00292](#)

Consider recommendations regarding Jones Replacement Agricultural Preserve Contract, Santa Ynez Area, Third District, as follows:

- a) Approve and authorize the Chair to execute Agricultural Preserve Replacement Contract 17AGP-00000-00008, a single preserve of 70.04-acres (APN: 141-080-010), located on the east side of Alisos Avenue approximately 2,000 feet north of Happy Canyon Road, in the Santa Ynez area;
- b) Adopt a Resolution, creating Agricultural Preserve 17AGP-00000-00008;
- c) Authorize recordation by the Clerk of the Board; and
- d) Find that the proposed action is an administrative activity of the County which will not result in direct or indirect physical changes in the environment and is therefore not a “project” as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

A-14) PUBLIC HEALTH[18-00264](#)

Consider recommendations regarding the first amendment to a revenue agreement for AIDS Drug Assistant Program (ADAP), as follows:

- a) Approve and authorize the Public Health Department Director to sign the First Amendment to the Agreement with the State of California Department of Public Health, Office of AIDS for administration of the AIDS Drug Assistance Program, adding an additional year, for the revised total period of July 1, 2016 through June 30, 2020, for a revenue amount based on usage;
- b) Approve and authorize the Public Health Department Director to make all required certifications required under the Agreement; and
- c) Determine that the approval and authorization of the above Agreement is not a “project” under the California Environmental Quality Act review per Guideline Section 15378(b)(4), since the recommended action is for government fiscal activity that does not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-15) PUBLIC HEALTH[18-00265](#)

Consider recommendations regarding a Personnel Resolution for an additional Health Care Center position, as follows:

- a) Adopt a Resolution, which allocates to the Public Health Department one (1) 1.0 FTE Health Care Practitioner (job class 3930); and
- b) Determine that this action is exempt from California Environmental Quality Act (CEQA) review per CEQA Guideline section 15378(b)(4), since the recommended action is a government fiscal activity which does not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

A-16) PUBLIC HEALTH[18-00290](#)

Consider recommendations regarding the acceptance of donations from the Santa Barbara County Animal Care Foundation (SBCACF) and the Ellen DeGeneres GoFundMe for Montecito Disaster Relief, as follows: (4/5 Vote Required)

- a) Approve and ratify the acceptance of a \$11,148.05 donation from the SBCACF designated to be used for disaster response for animals in Santa Barbara County;
- b) Approve and accept a \$30,000.00 donation from the Ellen DeGeneres Montecito Disaster Relief Fundraiser for disaster relief from the Thomas Fire and Montecito Debris Flow;
- c) Approve and ratify the acceptance of a \$7,000.00 donation from SBCACF designated to be used for a capital renovation at the Santa Maria Animal Care Center; and
- d) Approve Budget Revision Request No. 0005539 to increase appropriations in the Public Health Department's (PHD) Animal Services General Fund Services and Supplies, and Salary and Benefits, for costs related to Thomas fire and mudslide disasters funded by \$41,148.05 in unanticipated revenue from SBCACF and the Ellen DeGeneres Montecito Disaster Relief Fundraiser. Budgeted Restricted Fund Balance would be decreased by \$7,000.00 in PHD's Animal Services General Fund, and would be replaced by an increase of \$7,000.00 in Miscellaneous Revenue; and
- e) Determine that these activities are not the approval of a project subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), finding that the action is not a project as it is the creation of a government funding mechanism or other government fiscal activity, which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and direct staff to file the Notice of Exemption.

A-17) PUBLIC HEALTH[18-00291](#)

Consider recommendations regarding a revenue agreement with the City of Carpinteria for Tobacco Retail License Services, as follows:

a) Approve, ratify and authorize the Chair to execute an Agreement with the City of Carpinteria for tobacco retail license administration and enforcement services to be provided by the Public Health Department's Tobacco Prevention Program for the period of July 1, 2016 through June 30, 2021; and

b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because it consists of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.

A-18) PUBLIC WORKS[18-00285](#)

Consider recommendations regarding Montecito Survey Control Network (Phase 1), First District, as follows: (4/5 Vote Required)

a) Approve Budget Revision Request No. 0005582 to increase appropriations in the amount of \$104,000.00 in the Public Works General Fund for Services and Supplies funded by release of Restricted Survey Monument 9778 fund balance;

b) Approve and authorize the Chair to execute the professional services contract with Stantec Consulting Service Inc. (a local firm) in the base amount of \$94,450.00 for producing a Survey Control Network in the Montecito areas affected by Debris Flow of January 9, 2018, County Surveyor Project S977;

c) Authorize the Director of Public Works to approve changes or additions to the professional services being performed under the Agreement in an amount not to exceed \$9,445.00; and

d) Determine that the above recommended actions are exempt from the California Environmental Quality Act, pursuant to 14 CCR 15306, which consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource, and approve and direct staff to file the Notice of Exemption on that basis.

A-19) PUBLIC WORKS[18-00267](#)

Consider recommendations regarding State Road Maintenance and Rehabilitation Account List of Projects, as follows:

- a) Adopt a Resolution establishing a list of projects for Fiscal Year 2018-2019 funded by Senate Bill 1: The Road Repair and Accountability Act of 2017; and
- b) Find the State Road Maintenance and Rehabilitation Account List of Projects for Fiscal Year 2018-2019 is exempt from the provisions of California Environmental Quality Act pursuant to 14 CCR 15301(c) (as the proposed project(s) consists of the operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities), and approve the filing of the Notice of Exemption on that basis.

A-20) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT[18-00268](#)

Consider recommendations regarding the Santa Monica Debris Basin Capacity Restoration Project, First District, as follows:

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

- a) Authorize the Public Works Director to advertise and receive bids for the Santa Monica Debris Basin Capacity Restoration Project;
- b) Determine that the Santa Monica Debris Basin Capacity Restoration Project shall be carried out and determine that it is for the benefit of one zone hereinafter referred to as a participating zone; and
- c) Find that pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the project and therefore pursuant to the CEQA Section 15168 (c)(2), that the project is within the scope of the Updated Debris Basin Maintenance and Removal Plan approved in 2017 and within the scope of the project covered by the Program Environmental Impact Report (EIR) for the Updated Routine Maintenance Program (01-EIR-01) approved in 2001 and no new environmental document is required.

A-21) SHERIFF [18-00293](#)

Consider recommendations regarding the acceptance of a donation of \$63,603.00 to help support the Sheriff's Drug Abuse Resistance Education (D.A.R.E.) Program and to Purchase Additional Equipment for the Sheriff's Office, as follows: (4/5 Vote Required)

- a) Accept a donation of \$63,603.00 from the Sheriff's Benevolent Posse, a 501(c) (3) organization;
- b) Approve Budget Revision Request No. 0005584 establishing appropriations of \$63,603.00 in the Sheriff General Fund, funded by the donation; and
- c) Find that the proposed action does not constitute a "project" under the California Environmental Quality Act because it is within the exception provided by 14 CCR 15378(b)(4) for "[t]he 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."

Board of Supervisors**A-22) SUPERVISOR WILLIAMS [18-00305](#)**

Approve the appointment of Meagan Froemming Harmon to the Housing Authority Board of Commissioners, term ending January 1, 2021, First District.

A-23) SUPERVISOR WOLF [18-00296](#)

Approve the appointment of Jarrod Schwartz to the Human Services Commission, term ending June 30, 2021, Second District.

A-24) SUPERVISOR HARTMANN [18-00294](#)

Approve the appointment of Bill Cirone to the Behavioral Wellness Commission, term ending January 1, 2021, Third District.

A-25) SUPERVISOR WOLF, SUPERVISOR HARTMANN [18-00306](#)

Consider recommendations regarding a Resolution in support of Proposition 68, as follows:

- a) Adopt a Resolution in support of Statewide Ballot Proposition 68, The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 on the June 5, 2018 statewide ballot; and
- b) Determine that the above action is not a project under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because it consists of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.

Hearing Requests

A-26) PLANNING AND DEVELOPMENT

[18-00303](#)

Set a hearing to consider the recommendations of the County and Montecito Planning Commissions to approve Case Nos. 18ORD-00000-00005, 18ORD-00000-00006, and 18ORD-00000-00007, which would amend, respectively, the Montecito Land Use and Development Code (MLUDC), the Article II Coastal Zoning Ordinance, and the County Land Use and Development Code (LUDC), to implement new regulations and development standards regarding permitting requirements for structures that have been damaged or destroyed during a debris flow or other catastrophic event resulting in a significant change in topography or alteration of drainage features, as follows:

(Set a hearing for May 15, 2018. Time estimate: 45 minutes)

a) Consider recommendations regarding Case No. 18ORD-00000-00005 (MLUDC Amendment), as follows:

i) Make the findings for approval, including the California Environmental Quality Act (CEQA) findings, of the proposed Ordinance;

ii) Determine that the adoption of this Ordinance is exempt from CEQA pursuant to Sections 15061(b)(3), 15302, and 15305 of the Guidelines for Implementation of CEQA; and

iii) Adopt the Ordinance (Case No. 18ORD-00000-00005) amending Section 35-2, the Santa Barbara County MLUDC, of Chapter 35, Zoning, of the County Code;

b) Consider recommendations regarding Case No. 18ORD-00000-00006 (Article II Coastal Zoning Ordinance Amendment), as follows:

i) Make the findings for approval, including CEQA findings, of the proposed Ordinance;

ii) Determine that the adoption of this Ordinance is exempt from the CEQA pursuant to Sections 15061(b)(3), 15265, 15302, and 15305 of the Guidelines for Implementation of CEQA; and

iii) Adopt the Ordinance (Case No. 18ORD-00000-00006) amending Article II, the Santa Barbara County Coastal Zoning Ordinance, of Chapter 35, Zoning, of the County Code;

c) Consider recommendations regarding Case No. 18ORD-00000-00007 (County LUDC Amendment), as follows:

i) Make the findings for approval, including CEQA findings, of the proposed Ordinance;

ii) Determine that the adoption of this Ordinance is exempt from the CEQA pursuant to Sections 15061(b)(3), 15302, and 15305 of the Guidelines for Implementation of CEQA; and

iii) Adopt the Ordinance (Case No. 18ORD-00000-00007) amending Section 35-1, the Santa Barbara County LUDC, of Chapter 35, Zoning, of the County Code.

A-27) PLANNING AND DEVELOPMENT[18-00300](#)

Set a hearing to consider the appeal (Case No. 18APL-00000-00003) of the Montecito Planning Commission's (MPC) January 3, 2018 denial of the MacElhenny Appeals (Case Nos. 17APL-00000-00013 and 17APL-00000-00014), and de novo approval of the Lighthouse Trust Demo/Rebuild Project, Case Nos. 16BAR-00000-00219 and 17LUP-00000-00035, Assessor Parcel Numbers 007-110-001 and 007-110-002, First District, as follows:
(Set a hearing for May 15, 2018. Time estimate: 45 minutes)

- a) Deny the MacElhenny Appeal, Case No. 18APL-00000-00003;
- b) Make the required findings for approval of the Lighthouse Trust Demo/Rebuild Project (Case Nos. 16BAR-00000-00219 and 17LUP-00000-00035), including Design Review and California Environmental Quality Act (CEQA) findings;
- c) Determine the Lighthouse Trust Demo/Rebuild Project is exempt from CEQA pursuant to CEQA Guideline Section 15303 of CEQA; and
- d) Grant de novo approval of the Lighthouse Trust Demo/Rebuild Project (Case Nos. 16BAR-00000-00219 and 17LUP-00000-00035), including the Land Use Permit.

A-28) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY[18-00295](#)SANITATION DISTRICT

Consider recommendations regarding a Laguna County Sanitation District Ordinance relative to service charges, connection fees, and trunk line fees and Resolution relative to collection of service charges on the tax roll, Third, Fourth and Fifth Districts, as follows:

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

- a) Receive and file with the Clerk of the Board the fixed charge report for Fiscal Year 2018-2019;
- b) Set a public hearing on June 19, 2018 to consider recommendations, as follows:
(Set a hearing for June 19, 2018. Time Estimate: 15 minutes)
 - i) Adopt an Ordinance amending Ordinance No. 3130 and Ordinance 4142 to revise service charges, connection fees and other related fees;
 - ii) Adopt a Resolution authorizing the collection of said charges on the tax roll; and
 - iii) Adopt the findings in the Notice of Exemption that the proposed action is for the establishment of rates for services provided by the Laguna County Sanitation District, that no expansion of services or facilities will result, and that any increased revenues will be used for meeting operating expenses and financial reserve needs and requirements, and that the action is therefore exempt from the California Environmental Quality Act pursuant to 14 CCR Section 15273 and approve the filing of a Notice of Exemption on that basis.

A-29) PUBLIC WORKS[18-00299](#)

Set a hearing to consider recommendations regarding County Service Area (CSA) No. 41, proposed benefit assessment for road related repairs, improvements and maintenance in Fiscal Year 2018-2019, Fourth District, as follows:

(Set a hearing for June 19, 2018. Time estimate: 1 hour)

- a) Consider recommendations regarding the CSA 41, proposed benefit assessment for road related repairs, improvements and maintenance in Fiscal Year 2018-2019;
- b) Receive oral and written testimony and written protests that have been filed and consider such protests and testimony, if any;
- c) Tabulate written property owner ballots based on a weighting of the financial impact of the assessment for each parcel;
- d) If there is not a majority protest at the conclusion of the public hearing, adopt the Resolution entitled “Resolution of the Board of Supervisors of the County of Santa Barbara, State of California Imposing a 2018-2019 Benefit Assessment within CSA 41”;
- e) If there is a majority protest, maintain the previous 2017-2018 assessment rates, and return the item to the Roads Committee for review and further recommendations, if any;
- f) Receive and file, upon approval of the assessment, the Report entitled “Engineer’s Report Proposed 2018-2019 Assessment for CSA 41 Area Road Maintenance and Capital Improvements” with the Clerk of the Board; and
- g) Find that the proposed action(s) is for the establishment, modification, structuring, restricting, or approval of rates, tolls, fares, or other charges by public agencies which the public agency finds are for the purpose of meeting operating expenses and maintaining projects within existing service areas, that the project is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15273(a), and approve the filing of a Notice of Exemption on that basis and adopt the findings contained therein.

A-30) PUBLIC WORKS [18-00298](#)

Consider recommendations regarding County Service Area 12 (Mission Canyon Sewer District), Ordinance relative to sewer connection charges, sewer service charges and Resolution relative to collection of said charges on the tax roll, First District, as follows:

a) Receive a report entitled County Service Area 12 Fixed Charges Fee Report for Fiscal Year 2018-2019;

b) Set a hearing to consider recommendations, as follows:
(Set a hearing for June 19, 2018. Time estimate 15 minutes)

i) Adopt an Ordinance to set sewer connection charges and increase sewer service charges for County Service Area 12;

ii) Adopt a Resolution relative to the collection of said charges and fees on the tax roll; and

iii) Adopt the findings in the Notice of Exemption that the proposed action is for the establishment of rates for services provided by County Service Area 12, that no expansion of services or facilities will result, and that any increased revenues will be used for meeting operating expenses and financial reserve needs and requirements, and that the action is therefore exempt from the California Environmental Quality Act pursuant to 14 CCR Section 15273 and approve and direct staff to file and post the Notice of Exemption on that basis.

Honorary Resolutions**A-31) SUPERVISOR WILLIAMS [18-00266](#)**

Adopt a Resolution of Commendation honoring Judith Ann Sandez upon her retirement from the Sheriff's Department after over 28 years of faithful and distinguished service to the citizens of Santa Barbara County.

A-32) SUPERVISOR WILLIAMS [18-00272](#)

Adopt a Resolution of Commendation honoring Angela Petra Salinas upon her retirement from the Sheriff's Department after over 23 years of faithful and distinguished service to the citizens of Santa Barbara County.

A-33) SUPERVISOR WILLIAMS, SUPERVISOR WOLF [18-00275](#)

Adopt a Resolution recognizing the 70th Anniversary of the Establishment of the State of Israel.

A-34) SUPERVISOR WOLF [18-00273](#)

Adopt a Resolution of Commendation honoring Silvia Anguiano upon her retirement from the Sheriff's Department after over 23 years of faithful and distinguished service to the citizens of Santa Barbara County.

Resolutions to be Presented

- A-35) SUPERVISOR WILLIAMS [18-00274](#)
Adopt a Resolution of commendation honoring Vida McIsaac, Heather McCaslin and Danielle Rifilato as the May 2018 Employees of the Month for Santa Barbara County.
- A-36) SUPERVISOR WILLIAMS [18-00284](#)
Adopt a Resolution proclaiming the week of May 6, 2018 through May 12, 2018 as National Correctional Officers' Week in Santa Barbara County.
- A-37) SUPERVISOR WILLIAMS [18-00286](#)
Adopt a Resolution proclaiming the month of May 2018 as Mental Health Month in Santa Barbara County.
- A-38) SUPERVISOR HARTMANN [18-00304](#)
Adopt a Resolution of Commendation honoring Noel Langle upon his retirement from the Planning and Development Department after over 40 years of dedicated service to the citizens of Santa Barbara County.

Approval of Administrative Agenda**Public Comment Period**

Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this comment period.
THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES.
(Resolution No. 09-368) (18-00001)

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

Departmental Agenda
Planning Items and Public Hearings

1) BEHAVIORAL WELLNESS [18-00279](#)

HEARING - Consider recommendations regarding a waiver of retirement exclusion for Mary Pat Sweeney, Psychiatric Nurse II, for the Psychiatric Health Facility (PHF) of the Behavioral Wellness Department, as follows: (EST. TIME: 5 MIN.)

a) Approve and authorize the Behavioral Wellness Department Director to hire retired Psychiatric Nurse II, Mary Pat Sweeney, to provide critical, temporary or “as needed” nursing services at the Department’s inpatient psychiatric facility for an amount not to exceed \$44,000.00 annually beginning May 7, 2018;

b) In accordance with California Government Code Section 7522.56(f)(1), certify that the following agreement with a retired County employee is necessary to provide critical, “as needed” nursing services related to the provision of patient care within the inpatient PHF of the Behavioral Wellness Department, before 180 days have passed from the date of retirement; and

c) 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 section 15378(b)(5) of the CEQA Guidelines.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

2) BEHAVIORAL WELLNESS [18-00249](#)

HEARING - Consider recommendations regarding an Ordinance amending the Department of Behavioral Wellness Published Charges, Fiscal Year (FY) 2018-2019, for inpatient and outpatient mental health services, effective 45 days after adoption by the Board of Supervisors, as follows: (EST. TIME: 15 MIN.)

a) Consider the introduction (First Reading) of an Ordinance to amend the Department of Behavioral Wellness Published Charges for inpatient and outpatient mental health services;

b) Read the title and waive further reading of the Ordinance; and

c) Continue the item to the Administrative Agenda of May 15, 2018 to consider the adoption (Second Reading) of an Ordinance amending the Santa Barbara County Published Charges for inpatient and outpatient mental health services, as follows:

i) Adopt the Ordinance (Second Reading) to adjust the Department of Behavioral Wellness Published Charges for inpatient and outpatient mental health services; and

ii) Determine that these activities 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.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

3) COUNTY EXECUTIVE OFFICE, PUBLIC WORKS[18-00281](#)

HEARING - Consider recommendations regarding a presentation on watershed conditions due to the Thomas Fire, First District, as follows: (EST. TIME: 1 HR.)

a) Receive and file a presentation from the U.S. Forest Service and CalFire Watershed Teams on conditions and impacts of the Thomas Fire on local watersheds; and

b) Determine that the proposed actions are administrative 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 Sections 15378 (b)(5).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

4) SHERIFF[18-00280](#)

HEARING - Consider recommendations regarding Mental Health Services Oversight and Accountability Commission (MHSOAC) Together We Can - reducing criminal justice involvement for people with mental illness, as follows: (EST. TIME: 30 MIN.)

a) Receive and file the MHSOAC Together We Can report; and

b) Determine that the approval of 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 which does not involve commitment to any specific project which may result in potentially significant physical impact on the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

5) PUBLIC WORKS[18-00216](#)

HEARING - Consider the adoption of the Measure A Five-Year Local Program of Projects for Fiscal Years 2018-2019 through 2022-2023, as follows: (EST. TIME: 30 MIN.)

- a) Adopt a Resolution for the Measure A Five-Year Local Program of Projects for Fiscal Years 2018-2019 through 2022-2023, for submittal to the Santa Barbara County Local Transportation Authority for acceptance;
- b) Reaffirm the existing distributions of Measure A revenues: 50 percent population and 50 percent lane miles for the South Coast, and 100 percent lane miles for North County;
- c) Reaffirm Resolution 10-101, which establishes priorities and policies for the use of the local portion of the one-half of one percent (1/2%) sales tax for the transportation needs in Santa Barbara County;
- d) Direct staff to prepare Fiscal Year 2018-2019 Road Maintenance Annual Plan based upon approved Measure A distribution formula; and
- e) Find the Measure A Five-Year Local Program of Projects for Fiscal Year 2018-2019 through 2022-2023 is exempt from the provisions of California Environmental Quality Act pursuant to 14 CCR 15301(c) (as the proposed project(s) consists of the operation, repair, maintenance, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that previously existing, including but not limited to existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities), and approve the filing of a Notice of Exemption on that basis.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

6) PLANNING AND DEVELOPMENT[18-00278](#)

HEARING - Consider recommendations regarding Cannabis Amendments to the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones and the Right to Farm Ordinance, as follows: (EST. TIME: 1 HR. 30 MIN.)

a) Make the required findings for approval of amendments to the Santa Barbara County Uniform Rules for Agricultural Preserves and Farmland Security Zones (Uniform Rules) and the Right to Farm Ordinance, including California Environmental Quality Act (CEQA);

b) Adopt a Resolution (Case No. 17ORD-00000-00019) amending the Uniform Rules to address cannabis uses and development allowed pursuant to the Cannabis Land Use Ordinance and Licensing Program on lands subject to agricultural preserve contracts;

c) Consider the introduction (First Reading) of an Ordinance (Case No. 18ORD-00000-00008) of the Board of Supervisors of the County of Santa Barbara amending Section 3-23 of the Santa Barbara County Code, the Right to Farm Ordinance, to address cannabis;

d) Read title “An Ordinance Amending Section 3-23, Agricultural Nuisances and Consumer Information, of Article V, the Right to Farm, of Chapter 3, Agriculture, of the County Code to Exclude Cannabis from the Protections of the Ordinance, and Make Other Minor Clarifications, Corrections, and Revisions” and waive reading of the Ordinance in full;

e) Determine for the purposes of CEQA that:

i) Approval of the amendments to the Uniform Rules and Right to Farm Ordinance (Case Nos. 17ORD-00000-00019 and 18ORD-00000-00008) is within the scope of the Cannabis Land Use Ordinance and Licensing Program, and the Cannabis Land Use Ordinance and Licensing Program Final Programmatic Environmental Impact Report (PEIR) [Case No. 17EIR-00000-00003, State Clearinghouse No. 2017071016] adequately describes this activity for the purposes of CEQA; and

ii) Pursuant to CEQA Guidelines section 15162(a), after considering the PEIR certified by the Board of Supervisors on February 6, 2018, that no subsequent EIR or Negative Declaration is required because: i) no substantial changes are proposed which require major revisions of the PEIR; ii) no substantial changes have occurred with respect to the circumstances under which the Ordinance is undertaken which require major revisions of the PEIR; and iii) no new information of substantial importance concerning the Ordinance’s significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the PEIR was certified, has been received.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

Adjourn to**Tuesday, May 8, 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, May 1, 2018 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, May 3, 2018, at 5:00 PM and on Saturday, May 5, 2018, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>