

County of Santa Barbara
BOARD OF SUPERVISORS



one COUNTY | *one* FUTURE

First District - Das Williams, Vice Chair

Second District - Gregg Hart

Third District - Joan Hartmann, Chair

Fourth District - Bob Nelson

Fifth District - Steve Lavagnino

Mona Miyasato, County Executive Officer

Agenda

Tuesday, March 8, 2022

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: www.countyofsb.org

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 virtual participation until further notice.

The following alternative 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: <http://www.countyofsb.org/ceo/csbtv/livestream.sbc>; and
- YouTube at: <https://www.youtube.com/user/CSBTV20>

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

Register in advance for this meeting (**Revised Zoom Registration Link: 3/3/2022 at 10:15 AM**):

https://countyofsb.zoom.us/webinar/register/WN_R52E0z23QpOdM8ELFiMig

After registering, you will receive a confirmation email containing important information about joining the webinar.

Please DO NOT call or join until the item you want to speak on is being discussed.

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 telephonically or electronically, 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 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 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.

9:00 A.M. Convene to Regular Session**Roll Call****Pledge of Allegiance****Approval of Minutes of the March 1, 2022 Meeting****County Executive Officer's Report**[22-00001](#)

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

12:00 P.M. Recess to Closed Session**Closed Session**[22-00193](#)**CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Government Code section 54956.9)**

New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility v. County of Santa Barbara, United States District Court for the Central District of California, Case No. 2:20-cv-11804

County of Santa Barbara v. The State of California Department of Health Care Services, Los Angeles County Superior Court Case No. 19STCP04522

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code section 54956.8)**

Property: Assessor's Parcel Number 037-192-001, 315 West Haley Street, Santa Barbara, CA 93101 (First Supervisorial District). Agency negotiator: General Services Director Janette D. Pell. Negotiating party: President/CEO of PathPoint Harry Bruell. Under negotiation: Price and terms of payment.

Report from Closed Session

Administrative Agenda

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

Administrative Items**A-1) AGRICULTURAL COMMISSIONER AND WEIGHTS & MEASURES DEPARTMENT [22-00176](#)**

Consider recommendations regarding the California Department of Food and Agriculture (CDFA) Industrial Hemp Cultivation Program Agreement No. 21-0618-000-SA, as follows:

a) Approve, ratify and authorize the Chair to execute an agreement with the CDFA in an amount not to exceed \$28,779.50 to reimburse the County for the registration of industrial hemp growers and seed breeders and the enforcement of laws and regulations pertaining to industrial hemp for the period of January 1, 2022 through June 30, 2022; and

b) Determine that the above action involves government funding mechanisms and/or fiscal activities and is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(4).

A-2) COMMUNITY SERVICES DEPARTMENT [22-00187](#)

Consider recommendations regarding execution of the State of California Permanent Local Housing Allocation (PLHA) Sub-recipient Agreement with the Housing Trust Fund of Santa Barbara County, as follows:

a) Approve and authorize the Chair to execute a sub-recipient agreement for the distribution of \$444,960.00 in State of California PLHA grant funds with the Housing Trust Fund of Santa Barbara County for delivery of a Homebuyer Down Payment Assistance Program for a term that begins March 8, 2022 and ends June 30, 2024;

b) Authorize the County's Community Services Department Director or designee to approve at his or her discretion and execute amendments on behalf of the County to approve changes to the sub-recipient operating budget, to extend the sub-recipient agreement's term or award time of performance by up to 12 months, and approve necessary administrative changes, throughout the term of the sub-recipient agreement; and

c) Determine that the approval of the recommended actions is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines 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 potentially significant physical impact on the environment.

A-3) COUNTY EXECUTIVE OFFICE [22-00175](#)

Consider recommendations regarding the circumstances of the Existing State of Emergency, as follows:

- a) Reconsider the circumstances of the Existing State of Emergency;
- b) Consider whether state or local officials continue to impose or recommend measures to promote social distancing;
- c) Find that the Board of Supervisors has considered the circumstances of the state of emergency, and that State or local officials continue to impose or recommend measures to promote social distancing; and
- d) Direct staff to notice and hold hearings as remote hearings consistent with Government Code Section 54953(e)(3).

A-4) COUNTY EXECUTIVE OFFICE [22-00178](#)

Approve Budget Revision Request No. 0008106 (4/5 Vote Required).

A-5) COUNTY EXECUTIVE OFFICE [22-00181](#)

Consider recommendations regarding Authorized Agents for the County during disasters (3-year Renewal), as follows:

- a) Adopt a Resolution designating the County officials listed in the Resolution to execute applications, grants, financial information, conduct site inspections, represent the County at briefings, and conduct all matters necessary for financial recovery to the County for emergency or disaster recovery and relief from the federal government under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or from the State under the California Disaster Assistance Act;
- b) Adopt and direct the Clerk of the Board or designee to execute a Designation of Applicant's Agent Resolution;
- c) Direct the Clerk of the Board or designee to submit to the California Office of Emergency Services a letter identifying the Authorized Agents by name and title; and
- d) Determine the above actions are not a "Project" within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA Guidelines, because the actions consist of organizational or administrative activities of the government that will not result in direct or indirect physical changes in the environment.

A-6) COUNTY EXECUTIVE OFFICE[22-00184](#)

Consider recommendations regarding the Fiscal Year (FY) 2021-2022 Second Quarter Budget Status Report and Cannabis Taxation, Compliance and Enforcement Update, as follows:

- a) Receive and file the FY 2021-2022 Second Quarter Budget Status Report and Cannabis Taxation, Compliance and Enforcement Update as of December 31, 2021;
- b) Provide other direction as appropriate; and
- c) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA), because pursuant to sections 15378(b)(4) and 15378(b)(5) the recommended actions consist of organizational, administrative, or fiscal activities of government that will not result in direct or indirect physical changes in the environment.

A-7) COUNTY EXECUTIVE OFFICE[22-00185](#)

Consider recommendations regarding a response to the 2021 Grand Jury Report entitled “Lompoc Police Department: Moving Toward a Safe and Proud Community”, as follows:

- a) Consider and adopt the responses as the Board of Supervisors’ response to the 2021 Grand Jury report entitled "Lompoc Police Department: Moving Toward a Safe and Proud Community”;
- b) Authorize the Chair to sign the letter and forward the letter and responses to the Presiding Judge of Santa Barbara County Superior Court; and
- c) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines 15378(b)(5) that the above actions are not a project subject to CEQA review, because they are is government administrative activities that do not result in direct or indirect physical changes to the environment.

A-8) COUNTY EXECUTIVE OFFICE[22-00190](#)

Consider recommendations regarding a response to the 2021 Grand Jury Report: Idle Oil Wells in Santa Barbara County, as follows:

- a) Consider and adopt the responses as the Board of Supervisors’ response to the 2021 Grand Jury report entitled "Idle Oil Wells in Santa Barbara County”;
- b) Authorize the Chair to sign the letter and forward the letter and responses to the Presiding Judge of Santa Barbara County Superior Court; and
- c) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines 15378(b)(5) that the above actions are not a project subject to CEQA review, because they are is government administrative activities that do not result in direct or indirect physical changes to the environment.

A-9) COUNTY EXECUTIVE OFFICE**22-00191**

Consider recommendations regarding a response to the 2021 Grand Jury Report entitled “Suicide in Santa Barbara County Main Jail: A Challenge for Law Enforcement and Health Professionals”, as follows:

- a) Consider and adopt the responses as the Board of Supervisors’ response to the 2021 Grand Jury report entitled “Suicide in Santa Barbara County Main Jail: A Challenge for Law Enforcement and Health Professionals”;
- b) Authorize the Chair to sign the letter and forward the letter and responses to the Presiding Judge of Santa Barbara County Superior Court; and
- c) Determine pursuant to California Environmental Quality Act (CEQA) Guidelines 15378(b)(5) that the above actions are not a project subject to CEQA review, because they are government administrative activities that do not result in direct or indirect physical changes to the environment.

A-10) GENERAL SERVICES DEPARTMENT**22-00186**

Consider recommendations regarding the Proposed Probation Headquarters Building Project and Professional Services Agreement (PSA) for programming verification, professional design, planning, cost estimating, and commissioning consulting services, Project No. 19014, First District, as follows:

- a) Approve and authorize the Chair to execute the PSA with Roesling Nakamura Terada Architects, Inc., a California corporation dba RNT Architects, to provide programming verification, professional design, planning, cost estimating, commissioning and construction administration consulting services for the proposed new Probation Headquarters Building, located on Garden Street, Santa Barbara, CA (APNs 029-212-011 and 029-212-019), in an amount not to exceed \$2,200,000.00;
- b) Approve a not to exceed amount of \$2,200,000.00 for temporary cashflow transfers from the Advance Construction Reserve in the General Fund; and
- c) Find that this contract is determined by your Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) under State CEQA Guidelines per the Notice of Exemption.

A-11) PLANNING AND DEVELOPMENT DEPARTMENT**22-00183**

Consider recommendations regarding a 2021 Comprehensive Plan Annual Progress Report, as follows:

- a) Receive and file the 2021 Comprehensive Plan Annual Progress Report; and
- b) Determine that the annual progress report is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(3) and 15378(b)(5).

A-12) SHERIFF-CORONER OFFICE[22-00169](#)

Consider recommendations regarding an acceptance of grant funding from the California Department of Justice (DOJ) to allow for effective enforcement of firearm laws, as follows:
(4/5 Vote Required)

a) Accept a grant of \$539,660.00 from the Office of the attorney General, California DOJ, which will fund proactive enforcement of firearm laws prohibiting certain individuals from possessing firearms and ammunition for Fiscal Year (FY) 2021-2022, FY 2022-2023, and FY 2023-2024;

b) Authorize the Sheriff to enter into a Memorandum of Understanding (MOU) with the California DOJ, accepting the grant described in section a;

c) Approve Budget Revision Request No. 0008068, appropriating \$539,660.00 in grant revenue and corresponding expense; and

d) Find that the approval of the acceptance of this grant is government funding mechanism which is not a project pursuant to section 15378(b)(4) of the California Environmental Quality Act (CEQA) Guidelines.

Resolutions to be PresentedA-13) SUPERVISOR WILLIAMS[22-00179](#)

Adopt a Resolution proclaiming March 8, 2022 as Arbor Day in Santa Barbara County.

A-14) SUPERVISOR WILLIAMS[22-00177](#)

Adopt a Resolution proclaiming March 10, 2022 as Tibet Day in Santa Barbara County.

A-15) SUPERVISOR HARTMANN[22-00168](#)

Adopt a Resolution of commendation honoring Lesley Stewart of the Probation Department as Employee of the Month for March 2022.

A-16) SUPERVISOR HARTMANN[22-00189](#)

Adopt a Resolution recognizing March 8, 2022 as International Women's Day in Santa Barbara County.

Approval of Administrative Agenda

[22-00002](#)**Public Comment Period**

THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (22-00002)

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

Departmental Agenda
Planning Items and Public Hearings

- 1) PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, WATER AGENCY [22-00038](#)

HEARING - Consider recommendations regarding the Santa Barbara County Water Resources Update, as follows: (EST. TIME: 45 MIN.)

Acting as the Board of Directors, Water Agency:

- a) Receive and file an update on water resources throughout the County of Santa Barbara; and
- b) Determine that this action is not subject to California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378(b) (5), as it is an administrative action that will not result in direct or indirect changes to the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

- 2) PLANNING AND DEVELOPMENT DEPARTMENT [22-00182](#)

HEARING - Consider recommendations regarding the PR Investments, LLC and Far Western Liquor, Inc. appeal, Case Nos. 21APL-00000-00062 and 21APL-00000-00063, of the Planning Commission's approval of the Orcutt Gas Station Development Plan and Minor Conditional Use Permit, Case Nos. 18DVP-00000-00001 and 18CUP-00000-00001, Fourth District, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Deny the appeals, Case Nos. 21APL-00000-00062 and 21APL-00000-00063;
- b) Make the required findings for approval of the modified Project, Case Nos. 18DVP-00000-00001 and 18CUP-00000-00001, including California Environmental Quality Act (CEQA) findings;
- c) Adopt the Mitigated Negative Declaration, Case No. 19NGD-00000-00001, and adopt the mitigation monitoring program contained in the conditions of approval; and
- d) Grant de novo approval of the modified Project, Case Nos. 18DVP-00000-00001 and 18CUP-00000-00001, subject to the conditions of approval.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Notice: Due to increased public interest on Departmental Item No. 3, the Chair may limit the time allocated to individual speakers.

3) PLANNING AND DEVELOPMENT DEPARTMENT [22-00047](#)

HEARING - Consider recommendations regarding the Planning Commission's recommendation for denial of the ExxonMobil Interim Trucking for Santa Ynez Unit Phased Restart Project (Case No. 17RVP-00000-00081), Third and Fourth Districts, as follows: (EST. TIME: 2 HR. 30 MIN.)

- a) Make the required findings for denial of the Modified Project, Case No. 17RVP-00000-00081;
- b) Determine that denial of the Modified Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270(a) and approve the filing of a Notice of Exemption; and
- c) Deny the Modified Project, Case No. 17RVP 00000 000081.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

Adjourn to

Tuesday, March 15, 2022

County Administration Building
Board Hearing Room
105 East Anapamu Street , Fourth Floor
Santa Barbara

Challenges

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

Announcements

The meeting of Tuesday, March 8, 2022 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, March 10, 2022, at 5:00 PM and on Saturday, March 12, 2022, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>