County of Santa Barbara

BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, February 13, 2018 9:00 AM

JOSEPH CENTENO BETTERAVIA GOVERNMENT ADMINISTRATION BUILDING, BOARD HEARING ROOM 511 EAST LAKESIDE PARKWAY, SANTA MARIA

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

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

9:00 A.M. Convened to Regular Session

Roll Call

Present:

 Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Pledge of Allegiance

Approval of Minutes of the February 6, 2018 Meeting

A motion was made by Supervisor Wolf, seconded by Supervisor Hartmann, to approve the minutes, amended as follows:

Minutes on Departmental item 3) are amended to clarify language contained in "Motion Attachment A". That the Board directed staff to return on March 13, 2018 for "Consideration of language for capping retail permits to 8 with a maximum of two per district".

The motion carried by the following vote:

Ayes:

 Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

County Executive Officer's Report

18-00050

Mona Miyasato, the County Executive Officer, reported that the County Storm Readiness Plan was available and provided an update on storm evacuation definitions and timelines.

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

18-00096

Consider recommendations regarding CalCannabis Agreement No. 17-0174 with the California Department of Food and Agriculture, as follows:

- a) Approve, ratify, and authorize the Agricultural Commissioner or her designee to execute an agreement with the California Department of Food and Agriculture for support of services related to the CalCannabis Pilot Inspection Program in the County of Santa Barbara for the period of December 1, 2017 through October 31, 2019 in the amount of \$9,327.00; and
- b) Determine that the proposed 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) and direct staff to file a Notice of Exemption.

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

- a) Approved and authorized; and
- b) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor

COMMUNICATIONS FOR REFERRAL

18-00104

Isla Vista Community Services District - Approve the request of the Isla Vista Community Services District to call and give notice of the holding of a special election to be held on June 5, 2018 for the purpose of submitting a utility user tax ballot measure to the voters of the District and requesting that the County consolidate the special election with the statewide primary elections to be held on June 5, 2018.

(APPROVE AND REFER TO THE COUNTY CLERK-RECORDER-ASSESSOR)

Adam, and Supervisor Lavagnino

A motion was made by Supervisor Hartmann, seconded by Supervisor Adam, that this matter be Approved and Referred to the County Clerk-Recorder-Assessor. The motion carried by the following vote:

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

A-2)

A-3) COUNTY EXECUTIVE OFFICE

18-00080

Consider recommendations regarding Cannabis Tax Ballot Measure, as follows: (4/5 Vote Required)

- a) Consider the adoption (Second Reading) of an Ordinance Adding Chapter 50A to the Santa Barbara County Code, Imposing a Tax on Cannabis Operations; and
- b) Consider the adoption of a Resolution proposing to impose a tax on cannabis operations, submitting the proposed Ordinance and ballot language to the electorate for approval, and requesting and ordering consolidation with the June 5, 2018 Primary Election; and
- c) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA Guidelines because they consist of the creation of government funding mechanisms which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

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

a) Adopted.

ORDINANCE NO. 5026

b) Adopted.

RESOLUTION NO. 18-32

c) Approved.

The motion carried by the following vote:

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

Supervisor Lavagnino

Noes: 1 - Supervisor Adam

A-4) PLANNING AND DEVELOPMENT

18-00101

Consider recommendations regarding a Public Convenience or Necessity Determination for Vino et Amicis Wine Bar, Case No. 17PCN-00000-00005, Fourth District, as follows:

- a) Approve and authorize the Chair to execute the letter and forward the application and letter to the California Department of Alcohol Beverage Control (ABC) determining that public convenience will be served by issuing the new "On-Sale Beer and Wine Public Premises" license to Vino et Amicis Wine Bar, located at 165 S. Broadway Street, Suite 101, in Orcutt; and
- b) Determine 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 motion was made by Supervisor Hartmann, seconded by Supervisor Adam, that this matter be Acted on as follows:

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

The motion carried by the following vote:

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

A-5) PLANNING AND DEVELOPMENT

18-00103

Consider recommendations regarding Caltrans Sustainable Communities Transportation Planning Grant Application, as follows:

- a) Adopt a Resolution authorizing the Director of the Planning and Development Department to apply for a grant from Caltrans for the Sustainable Communities Transportation Planning Grant Program for Fiscal Years (FY) 2018-2019 through 2020-2021 in the amount of \$1,000,000.00 and enter into a contract accepting any grants that are awarded; and
- b) Determine that the proposed grant application is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA guidelines Section 15262 and the Notice of Exemption.

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

a) Adopted.

RESOLUTION NO. 18-33

b) Approved.

The motion carried by the following vote:

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

Supervisor Lavagnino

Noes: 1 - Supervisor Adam

A-6) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY

18-00109

Consider recommendations regarding San Antonio Groundwater Basin Study, Third, Fourth and Fifth Districts, as follows:

Acting as the Board of Directors, Water Agency:

- a) Approve and authorize the Chair to execute Amendment No. 3 to the Joint Funding Agreement No. 15WSCA600081610.A3 with the United States Geological Survey increasing the amount by \$526,707.00 to a not to exceed amount of \$1,877,571.00 (in which \$1,536,056.00 will be funded by the County Water Agency and \$341,515.00 will be funded by the United States Geological Survey) to continue a comprehensive study of the San Antonio Groundwater Basin in order to assess current and future water availability; and
- b) Determine that the amendment to the agreement for San Antonio Groundwater Study is exempt under California Environmental Quality Act guidelines, Section 15262; Feasibility and Planning Studies and Section 15306 (Class 6) Basic data collection, research, experimental management, and resource evaluation activities, as previously approved by the Board on November 4, 2014.

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

Acting as the Board of Directors, Water Agency:

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

The motion carried by the following vote:

A-7) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

18-00111

Consider recommendations regarding Emergency and Disaster Recovery Contracts, First District, as follows:

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

- a) Approve, ratify, and authorize the Chair to execute contract amendments adding federal clauses to Agreements for the services of independent contractors providing emergency services, as follows:
- i) Bob's Backhoe and Trucking (trucking services) Amendment No. 2;
- ii) Bob's Backhoe and Trucking (maintenance services) Amendment No. 2;
- iii) RLF Trucking and Grading Corp Amendment No. 2;
- iv) Lash Construction Inc. Amendment No. 2;
- v) Granite Construction Company Amendment No. 2;
- vi) Papich Contracting Company, Inc. Amendment No. 1;
- vii) Tierra Contracting, Inc. Amendment No. 1;
- viii) Speed's Amendment No. 1;
- ix) OST Trucks and Cranes, Inc. Amendment No. 1;
- x) T and T Truck and Crane Service Amendment No. 1; and
- xi) Bragg Crane Service Amendment No. 1;
- b) Approve and authorize the Chair to execute agreements for services of independent contractors for disaster recovery services, as follows:
- i) Bob's Backhoe and Trucking (trucking service) with a term of February 13, 2018 through June 30, 2019 for an amount not to exceed \$1,000,000.00;
- ii) Bob's Backhoe and Trucking (maintenance work) with a term of February 13, 2018 through June 30, 2018 for an amount not to exceed \$1,000,000.00;
- iii) RLF Trucking and Grading Corp with a term of February 13, 2018 through June 30, 2019 for an amount not to exceed \$1,000,000.00;
- iv) Lash Construction Inc. with a term of February 13, 2018 through June 30, 2018 for an amount not to exceed \$1,000,000.00;
- v) Granite Construction Company with a term of February 13, 2018 through June 30, 2018 for an amount not to exceed \$1,000,000.00;
- vi) Papich Contracting Company, Inc. with a term of February 13, 2018 through June 30, 2018 for an amount not to exceed \$1,000,000.00;
- vii) Tierra Contracting, Inc. with a term of February 13, 2018 through June 30, 2018 for an amount not to exceed \$1,000,000.00; and

- viii) T and T Truck and Crane Service with a term of February 13, 2018 through June 30, 2019 for an amount not to exceed \$1,000,000.00; and
- c) Determine that the proposed actions are not a project under the California Environmental Quality Act, pursuant to Guidelines Section 15378 (b)(4), the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

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

Approved as follows:

- a) i) and ii); and
- b) i) and ii).

The motion carried by the following vote:

Ayes: 4 - Supervisor Williams, Supervisor Hartmann, Supervisor Adam, and

Supervisor Lavagnino

Recused: 1 - Supervisor Wolf

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

Approved as follows:

- a) iii) through xi);
- b) iii) through viii); and
- c) Approved.

The motion carried by the following vote:

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

Board of Supervisors

A-8) SUPERVISOR HARTMANN

18-00106

Approve the reappointment of Allan Jones to the Oak Hill Cemetery Board of Directors, term ending January 1, 2022, Third District.

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

Ayes:

 Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-9) SUPERVISOR HARTMANN

18-00107

Approve the appointment of Art Kaslow to the Oak Hill Cemetery Board of Directors, term ending January 1, 2022, Third District.

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

Ayes:

 Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-10) SUPERVISOR HARTMANN

18-00108

Approve the appointment of Lorenzo Perez to the Guadalupe Cemetery Board of Directors, term ending July 1, 2022, Third District.

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

Ayes:

 Supervisor Williams, Supervisor Wolf, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-11) SUPERVISOR ADAM

18-00110

Approve the appointment of Matthew Olson to the Civil Service Commission, term ending May 31, 2020, Fourth District.

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

Ayes:

Hearing Requests

A-12) PLANNING AND DEVELOPMENT

18-00102

Set a hearing to consider the recommendation of the County Planning Commission to amend the County's Environmental Thresholds and Guidelines Manual, as follows: (Set a hearing for February 27, 2018. Time estimate: 1 hour)

- a) Make the required findings for approval of the proposed amendment, including California Environmental Quality Act (CEQA) findings;
- b) Determine the project is exempt from CEQA pursuant to CEQA Guideline Sections 15308 and 15378(b) of CEQA; and
- c) Adopt a Resolution recommending that the Board of Supervisors adopt Case No. 17ORD-00000-00017, amending the County of Santa Barbara's Environmental Thresholds and Guidelines Manual, by revising thresholds of significance to guide the County's environmental analysis of cultural resources of a project subject to the CEQA.

A motion was made by Supervisor Hartmann, seconded by Supervisor Adam, that this matter be Set for a hearing, as follows: February 27, 2018 in Santa Barbara (EST. TIME: 1 HR.). The motion carried by the following vote:

A-13) PLANNING AND DEVELOPMENT

18-00100

Set a hearing to consider recommendations regarding a request for hearing filed by David Swenk agent for Oak Hills Estate LLC, owner, of the proposed Oak Hills Estate project (Case Nos. 15RZN-00000-00002, 15TRM-00000-00001/TM 14,180, 15DVP-00000-00001, and 17RDN-00000-00006), Third District, as follows: (Set a hearing for March 13, 2018. Time estimate: 30 minutes)

- a) Make the required findings for approval of the project, including California Environmental Quality Act (CEQA) findings;
- b) Certify the Final Environmental Impact Report (17EIR-00000-00001) and adopt the mitigation monitoring program contained in the conditions of approval;
- c) Adopt an Ordinance for Case No. 15RZN-00000-00002, rezoning the project parcel from Residential Ranchette, 1 unit per 10 acres (RR-10) to Design Residential, 1.8 units per acre (DR-1.8);
- d) Approve the Vesting Tentative Tract Map (15TRM 00000-00001/TRM 14,180) subject to the conditions of approval specified in Attachment B.1 of the Planning Commission staff report dated November 15, 2017;
- e) Approve a Development Plan (15DVP-00000-00001) for the future development of 29 single family residences within the DR-1.8 zone district subject to the conditions of approval included as Attachment B.2 of the Planning Commission staff report dated November 15, 2017; and
- f) Approve case No. 17RDN-00000-00006 subject to the conditions of approval included as Attachment B.3 of the Planning Commission staff report dated November 15, 2017.

A motion was made by Supervisor Hartmann, seconded by Supervisor Adam, that this matter be Set for a hearing, as follows: March 13, 2018 in Santa Maria (EST. TIME: 30 MIN.). The motion carried by the following vote:

Resolutions to be Presented

A-14) <u>SUPERVISOR WILLIAMS</u>

<u>18-00105</u>

Adopt a Resolution proclaiming the month of February 2018 as Black History Month in Santa Barbara County.

A motion was made by Supervisor Hartmann, seconded by Supervisor Wolf, that this matter be Approved.

RESOLUTION NO. 18-34

he motion carried by the following vote:

Public Comment Period

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

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

Re: Guadalupe hiking and biking trail citing and alignment - David Hosking, Dena Boortz, Valerie Grimaldo, Sabrina Pena, Jeanne Sparks, Reykina Mendez, Cruz Ramos, Gabriel Macias, Ariston Julian, Claire Wineman, Nashay Sahagun and Andy Caldwell addressed the Board.

Re: PACE Program - Dustin Reilich addressed the Board.

<u>Departmental Agenda</u> <u>Planning Items and Public Hearings</u>

1) <u>CHILD SUPPORT SERVICES</u>

18-00017

HEARING - Consider recommendations regarding the County's participation in the Government Alliance on Race and Equity, as follows: (EST. TIME: 15 MIN.)

- a) Receive and file a presentation on the County's participation in the Government Alliance on Race and Equity; and
- b) Determine that the above actions are organizational and administrative activities of government that are not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(5).

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:38 AM - 12:25 PM (47 MIN.)

Received and filed staff presentation and conducted public hearing.

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

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

The motion carried by the following vote:

2) COUNTY EXECUTIVE OFFICE, AUDITOR-CONTROLLER

18-00097

HEARING - Receive and file, per the provisions of Government Code Section 29126.2, the Fiscal Year 2017-2018 Budget and Financial Status Report as of December 31, 2017, showing the status of appropriations and financing for all departmental budgets adopted by the Board of Supervisors. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 1:07 PM - 1:27 PM (20 MIN.)

Received and filed staff presentation and conducted public hearing.

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

3) COMMUNITY SERVICES

18-00098

HEARING - Consider recommendations regarding Arts and Economic Development in Santa Barbara County, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file the following: Santa Barbara County Arts and Economic Prosperity Report v5; Santa Barbara County Arts and Economic Prosperity v5 Executive Summary; 2017 Creative Industries: Business and Employment in the Arts: Santa Barbara County; and the Otis Report on the Creative Economy; and
- b) Determine that the recommended action does not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), as it consists of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and direct staff to file a Notice of Exemption.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 1:35 PM - 2:00 PM (25 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Received and filed.
- b) Approved.

The motion carried by the following vote:

4) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY

18-00099

HEARING - Consider recommendations regarding an update on Sustainable Groundwater Management Act implementation, as follows: (EST. TIME: 1 HR)

Acting as the Board of Directors, Water Agency:

- a) Receive and file a report on activities and progress to date related to the Sustainable Groundwater Management Act of 2014;
- b) Direct staff to submit an initial notification to the Department of Water Resources for a basin boundary modification in the Santa Maria Fringe area;
- c) Set a hearing to consider a basin boundary modification for the Santa Maria Fringe Area (Set a hearing for May 8, 2018. Time Estimate: 30 minutes); and
- d) Determine that the proposed actions are not a project under the California Environmental Quality Act, pursuant to Guidelines Section 15378(b)(5), organization or administrative activities that will not result in a direct or indirect physical change in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 1:26 PM - 1:35 PM (9 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Received and filed.
- b) Directed.
- c) Hearing set for May 8, 2018 in Santa Maria.
- d) Approved.

The motion carried by the following vote:

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

Recused: 1 - Supervisor Adam

5) <u>COUNTY EXECUTIVE OFFICE</u>

18-00112

HEARING - Consider recommendations regarding a Human Services Commission update, as follows: (EST. TIME: 45 MIN.)

- a) Receive and file a report and consider funding and structure options from the County of Santa Barbara Human Services Commission (HSC) and County Executive Office regarding the HSC Fiscal Year 2018-2019 Human Services Commission Grant Funding;
- b) Provide direction on preferred option; and
- c) Find that the proposed actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Sections 15278 (b) (4) and 15378 (b) (5) of the CEQA Guidelines because they are governmental fiscal, organizational or administrative activities that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:35 AM - 11:37 AM (1 HR. 2 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Received and filed.
- b) Approved Option 4. Directed staff to extend the existing grantees for one year, and to issue a new 3 year Notice of Funding Availability (NOFA) in November, 2018 with the elimination of Mini Grants for 2 years.
- c) Approved.

The motion carried by the following vote:

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

Supervisor Lavagnino

Noes: 1 - Supervisor Adam

Adjourned at 2:00 PM

Adjourned to

Tuesday, February 27, 2018

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

http://www.countyofsb.org