

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

Pledge of Allegiance

Approval of Minutes of the February 27, 2018 Meeting

A motion was made by Supervisor Hartmann, seconded by Supervisor Wolf, to approve the Minutes. The motion carried by the following vote:

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

County Executive Officer's Report

18-0050

No report from the County Executive Officer.

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

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

Significant exposure to civil litigation: 2 cases.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Government Code section 54956.8)

Property: Assessor's Parcel Number 039-322-029, located at 4 East Carrillo Street/ 930 State Street in the City of Santa Barbara, California (First District). Agency negotiator: General Services Director Janette D. Pell. Negotiating parties: Morris and Gloria Siobhan. Under negotiation: price and terms of payment.

[Santa Barbara County Board of Supervisors, sitting as the Board of Directors of the Santa Barbara County Fire Protection District] Property: Assessor's Parcel Number 139-214-013, located at 1674-1678 Oak Street in the City of Solvang, California (Third District). Agency negotiator: General Services Director Janette D. Pell. Negotiating parties: Jean J. Barnes, as trustee; Edward C. and Bette L. Stark, and Maine Asker, as successor trustees. Under negotiation: price and terms of payment.

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

Interim Planning and Development Director.

Report from Closed Session

County Counsel Michael Ghizzoni reported that by a vote of 4:0 with Supervisor Adam being absent, the Board of Supervisors unanimously appointed Dianne Black as the County's Interim Planning and Development Director, beginning March 30, 2018.

Details of this announcement can be obtained in the office of County Counsel.

Administrative Agenda

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

Administrative Items

A-1) AUDITOR-CONTROLLER [18-00154](#)

Consider recommendations regarding the Auditor-Controller’s Report on Fiscal Year 2016-2017 County Vendor Payments Greater than \$100,000.00, as follows:

- a) Receive and file the Fiscal Year 2016-2017 Report of County Vendor Payments Greater than \$100,000; and
- b) 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 Williams, seconded by Supervisor Hartmann, that this matter be Acted on as follows:

- a) Received and file; and**
- b) Approved**

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-2) COMMUNICATIONS FOR REFERRAL

[18-00157](#)

Montecito Fire Protection District - Approve the request of the Montecito Fire Protection District to order, call, provide for and give notice of a special election to be held in the Montecito Fire Protection District on July 24, 2018 for the purpose of submitting to the voters of said district a proposition pursuant to Article XIII B of the Constitution of the State of California to retain the district's increased limits of appropriations.

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

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

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

Absent: 1 - Supervisor Adam

A-3) GENERAL SERVICES

18-00155

Consider recommendations regarding Jalama Beach Affordable Overnight Accommodations, Project No. 8703, Amendment to Professional Services Agreement (PSA), Third District, as follows:

- a) Approve and authorize the Chair to execute Amendment No. 3 to the PSA with Blackbird Architects, Inc. for design work for the Jalama Beach Affordable Overnight Accommodations Project increasing the amount by \$7,600.00 to a total of \$208,916.25;
- b) Authorize the Director of General Services or designee to approve further amendments to the PSA with Blackbird Architects, Inc., in an amount not to exceed \$18,335.00 for a total contract amount not to exceed \$227,251.25; and
- c) Determine that the proposed action does not constitute a “Project” within the meaning of the California Environmental Quality Act pursuant to 14 CCR Section 15378(b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect changes in the environment) and direct staff to file a Notice of Exemption on that basis.

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

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

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-4) GENERAL SERVICES

18-00170

Consider recommendations regarding Santa Barbara Bowl Foundation Montecito Community Benefit Concerts, Santa Barbara, First District (R/P File No.: 001076), as follows:

a) Consider and approve a one-time waiver of the annual thirty-seven (37) commercial event maximum performances pursuant to the Amended and Restated Management and Lease Agreement between the County of Santa Barbara and the Santa Barbara Bowl Foundation, to allow for up to four additional events to host Montecito relief effort benefit concerts supporting Thomas Fire and Flood recovery; and

b) Find that pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15162, no substantial changes are proposed which will require major revisions to the prior negative declaration; no substantial changes to the project have occurred with respect to the circumstances under which the project is undertaken; and no new information of substantial importance has come to light regarding environmental effects of the project or of the sufficiency of mitigation measures, and therefore the proposed actions are within the scope of the Mitigated Negative Declaration (MND) (Case No. 95-ND-29), adopted by the Board on November 28, 1995, and no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this project.

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

a) and b) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-5) PUBLIC HEALTH

18-00159

Consider recommendations regarding an Easy Lift Transportation Agreement, as follows:

- a) Approve, ratify, and authorize the Chair to execute an Agreement for Services of Independent Contractor Easy Lift Transportation in an amount not to exceed \$72,309.00, that includes \$37,000.00 under Purchase Contract CN No. 21321 with Easy Lift Transportation but otherwise cancels, nullifies, and supersedes Purchase Contract CN No. 21321, to provide transportation services for the homeless population for the period of July 1, 2017 through June 30, 2018; and
- b) Determine that the recommended action is not a “project” within the meaning of the California Environmental Quality Act (CEQA) and is exempt per CEQA Guideline Section 15378(b)(4) since the recommended action is a 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 motion was made by Supervisor Williams, seconded by Supervisor Hartmann, that this matter be Acted on as follows:

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

The motion carried by the following vote:

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

A-6) PUBLIC HEALTH

18-00172

Consider recommendations regarding a request for waiver of competition in the purchase of SmartMan CPR Manikins, as follows:

- a) Authorize the Purchasing Manager to procure, without competitive bidding, ten (10) SmartMan Cardio-Pulmonary Resuscitation (CPR) training manikins from V4EMS for an amount not to exceed \$70,000.00 during the remainder of Fiscal Year 2017-2018, since there is a limited source in specifications pursuant to County Code Section 2-39, subdivision (c); and
- b) Determine that the activity is not a "Project" under the California Environmental Quality Act (CEQA) and is exempt per CEQA Guideline Section 15378(b)(4), since the recommended action is a government fiscal activities which does not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

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

- a) Authorized; and**
- b) Approved.**

The motion carried by the following vote:

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

A-7) PUBLIC HEALTH

18-00173

Consider recommendations regarding Staff Physician Recruitment Incentives, as follows:

- a) Within existing funding, authorize the County Executive Officer (CEO) to approve requests from the Public Health Department to provide new hire incentives for staff physicians up to \$75,000.00 per appointment as permitted by the New Hire Recruiting Incentives and Reimbursements Policy, not to exceed a maximum aggregate total of \$75,000.00 for the remainder of the Fiscal Year ending June 30, 2018 and if required, to distribute new hire incentives awarded prior to June 30, 2018 in subsequent years depending on the actual hire date and/or a structured payment plan; 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 motion was made by Supervisor Williams, seconded by Supervisor Hartmann, that this matter be Acted on as follows:

a) Authorized; and

b) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-8) PUBLIC HEALTH

18-00174

Consider recommendations regarding a Second Amendment to the Oregon Community Health Information Network (OCHIN) Master System Agreement to add exhibits allowing outside entities access to OCHINLINK, as follows:

- a) Approve and authorize the Chair to execute the Second Amendment to the Master System Agreement with OCHIN to add and incorporate Exhibit AC, OCHINLINK Data Access Agreements, and Exhibit AC-1, OCHINLINK User Access Agreements, allowing Outside Entities to access OCHINLINK without a change in term or an increase to cost to the Master System Agreement;
- b) Authorize the Public Health Department Director, or designee, to execute or terminate Exhibit AC, OCHINLINK Data Access Agreements, and Exhibit AC-1, OCHINLINK User Access Agreements with Outside Entities; and
- c) Determine that the proposed actions do not constitute a “Project” within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(5) of the CEQA Guidelines since the actions are organizational or administrative activities that will not result in direct or indirect physical changes in the environment.

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

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

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-9) PUBLIC WORKS

18-00072

Consider recommendations regarding amending Chapters 24A and 29-24 of the Santa Barbara County Code relating to fines and penalties for violations regarding discharge into Laguna County Sanitation District Treatment System, Third, Fourth and Fifth Districts, as follows:

- a) Consider adoption (second reading) of Ordinances (2) amending Chapters 24A and 29-24 of the Santa Barbara County Code relating to administrative fines and penalties for violations to Chapter 29, Article III - Discharge into Laguna County Sanitation District Treatment System;
- b) Read the title of the Ordinances (2) and waive the reading of the Ordinances in full; and
- c) Find that the proposed Ordinance amendments are for the protection of the environment and does not involve construction activities or relaxation of standards and is therefore exempt from the California Environmental Quality Act pursuant to 14 CCR 15308 (Actions by Regulatory Agencies for the Protection of the Environment) and approve the filing of a Notice of Exemption on that basis.

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

a) Adopted.

ORDINANCE NO. 5032

ORDINANCE NO. 5033

b) and c) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-10) PUBLIC WORKS18-00125

Consider recommendations regarding construction of 2017-2018 North County Pavement Rehabilitation Project No. 820678 N in the Third, Fourth, and Fifth Districts, as follows:

- a) Approve the specifications for Construction of 2017-2018 North County Pavement Rehabilitation Project, to repave approximately five lane miles in the Third, Fourth, and Fifth Districts, on file in the Public Works Department office;
- b) Award the construction contract in the amount of \$1,510,514.00 to the lowest responsible bidder, Souza Construction, Inc. (a Tri-County Vendor), 4027 Santa Fe Road, San Luis Obispo, CA 93401, subject to the provision of documents and certifications, as set forth in the specifications applicable to the project, as required under California Law;
- c) Approve and authorize the Chair to execute the construction contract, which has been reviewed and approved by County Counsel, Auditor-Controller, and Risk Manager, or their authorized representatives;
- d) Authorize the Public Works Director or designee to approve change orders for a contingency amount up to \$92,644.98 plus an additional amount of \$92,386.00 for supplemental work items for the construction on 2017-2018 North County Pavement Rehabilitation Project, for a total not to exceed authorization of \$1,695,544.98; and
- e) Determine the project was found by your Board to be exempt from the provisions of the California Environmental Quality Act pursuant to 14 CCR 15301(c) on July 25, 2017 (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), a Notice of Exemption was filed on that basis, and the proposed action is within the scope of the Notice of Exemption.

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

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

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-11) PUBLIC WORKS

18-00178

Consider recommendations regarding the approval of Tajiguas Landfill tip fee for Fiscal Year 2018-2019, First Second and Third Districts, as follows:

a) Approve and establish an annual per-ton charge pursuant to section 4.3.A of the Materials Delivery Commitment and Processing Services Agreements between the County and the Cities of Santa Barbara, Goleta and Solvang for Fiscal Year 2018-2019, beginning July 1, 2018, of one hundred two dollars (\$102.00) rather than one hundred ten dollars per ton (\$110.00) to be paid by the Cities pursuant to section 4.2.B.2 for disposal of waste at the Tajiguas Landfill; and

b) Find that the proposed action is for the establishment of solid waste handling, disposal and collection fees and rates by the County which are for the purpose of meeting operating expenses and financial reserves; that no expansion of services or facilities will result; that the proposed action is therefore exempt from the California Environmental Quality Act pursuant to 14 CCR 15273(a) (1)(2)(3) and (4); and approve the filing of a Notice of Exemption on that basis.

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

a) and b) Approved.

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-12) PUBLIC WORKS

18-00158

Consider recommendations regarding a Board Contract as an Amendment to an existing purchasing order with Gold Coast Recycling, Inc. to process commingled recyclables, First, Second, and Third Districts, as follows:

- a) Approve and authorize the Chair to execute the Agreement with Gold Coast Recycling (a subsidiary of EJ Harrison and Sons) as an amendment to the existing purchasing order to process commingled recyclables collected and delivered by the County to Gold Coast’s recycling facility in Ventura for the current Fiscal Year ending on June 30, 2018, not to exceed \$600,000.00; and
- b) Find the proposed Amendment to the contract does not constitute a “Project” within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5) (administrative activity of government).

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

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

The motion carried by the following vote:

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

A-13) PUBLIC WORKS18-00171

Consider recommendations regarding Tajiguas Sanitary Landfill Groundwater Protection System Phase 3C, County Project No. 828361, Third District, as follows:

- a) Approve plans and specifications for the construction of the Tajiguas Sanitary Landfill Groundwater Protection System Phase 3C Project, on file in the Public Works Department office;
- b) Award the construction contract in the amount of \$2,203,962.00 to the lowest responsible bidder, Whitaker Construction Group, Inc., 2752 Concrete Court, Paso Robles, CA 93448, subject to the provision of documents and certifications, as set forth in the plans and specifications applicable to the project, as required under California Law;
- c) Approve and authorize the Chair to execute the construction contract, which has been reviewed and approved by County Counsel, Auditor-Controller and Risk Manager, or their authorized representatives;
- d) Authorize the Public Works Director or designee to approve as change order work, supplemental work itemized in the Estimate of Job Costs in the contract documents up to \$350,000.00;
- e) Authorize the Public Works Director or designee to approve change orders for a contingency amount up to \$122,698.10 for the construction of the Tajiguas Sanitary Landfill Groundwater Protection System Phase 3C Project, for a total project authorization of \$2,676,660.10;
- f) Approve and authorize the Chair to execute the contract in the amount of \$136,847.00 with the engineering firm GeoSyntec Consultants, Inc. to provide construction quality assurance services for the construction of the Tajiguas Sanitary Landfill Groundwater Protection System Phase 3C Project;
- g) Authorize the Public Works Director or designee to approve change orders for a contingency amount up to \$13,685.00 for construction quality assurance services provided Geosyntec Consultants, Inc. associated with the Tajiguas Sanitary Landfill Groundwater Protection System Phase 3C Project; and
- h) Find that pursuant to California Environmental Quality Act Guidelines Section 15162, no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the Tajiguas Sanitary Landfill Groundwater Protection System Phase 3C or of the sufficiency or feasibility of mitigation measures, and therefore the approval of contracts for construction of the project are within the scope of the project covered by the Tajiguas Landfill Expansion Project EIR (01-EIR-05) certified by the Board of Supervisors on August 13, 2002, the Addendum to 01-EIR-05 dated November 8, 2006 and accepted by the Board of Supervisors on December 5, 2006 and the Tajiguas Landfill Reconfiguration and Baron Ranch Restoration Project Subsequent EIR (08-EIR-00000-00007) certified May 5, 2009.

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

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

The motion carried by the following vote:

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

A-14) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [18-00156](#)

Consider recommendations regarding emergency and disaster recovery agreements, as follows:

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

a) Approve and authorize the Chair to execute agreements for services of independent contractors for emergency response and disaster recovery services, as follows:

i) CalPortland Construction with a term of March 13, 2018 through June 30, 2018 for an amount not to exceed \$1,000,000.00;

ii) Shaw Construction with a term of March 13, 2018 through June 30, 2018 for an amount not to exceed \$1,000,000.00;

iii) R.W. Scott Construction Company Inc. with a term of March 13, 2018 through June 30, 2018 for an amount not to exceed \$1,000,000.00;

iv) Specialty Construction Inc. with a term of March 13, 2018 through June 30, 2018 for an amount not to exceed \$1,000,000.00;

v) Cushman Contracting Corporation with a term of March 13, 2018 through June 30, 2018 for an amount not to exceed \$1,000,000.00;

vi) Speed's with a term of March 13, 2018 through June 30, 2019 for an amount not to exceed \$1,000,000.00;

vii) Braggs Crane Service with a term of March 13, 2018 through June 30, 2019 for an amount not to exceed \$1,000,000.00;

viii) OST Trucks and Cranes, Inc. with a term of March 13, 2018 through June 30, 2019 for an amount not to exceed \$1,000,000.00; and

ix) Maxim Crane Works, L.P. with a term of March 13, 2018 through June 30, 2019 for an amount of not to exceed \$1,000,000.00; and

b) 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 Williams, seconded by Supervisor Hartmann, that this matter be Acted on as follows:

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

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

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-15) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

18-00123

Consider recommendations regarding a Public Works Director's Report on emergency response actions from impacts of flooding and storms and continuation of emergency actions, First District, as follows: (4/5 Vote Required)

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

- a) Receive and review a report from the Public Works Director regarding emergency actions taken pursuant to Resolution No. 15-321 and Public Contract Code section 22050 related to emergency operations responding to flooding, storms, and debris removal following the January 9, 2018 storm and the necessity of the action and the reasons the emergency will not permit delay resulting from competitive solicitation of bids;
- b) Determine that there is a need to continue the emergency action ordered by the Public Works Director;
- c) Direct staff to return to the Board every 14 days to allow the Board to review the emergency action and determine whether there is a need to continue the emergency action, by a 4/5 vote, until the action is terminated; and
- d) Find that the proposed actions are associated with emergency response and are therefore statutorily exempt from the California Environmental Quality Act pursuant to Guideline Sections 15269(c) actions necessary to prevent or mitigate an emergency that does not have a low probability of occurrence, and that a California Environmental Quality Act Exemption for this project was approved by the Board and filed by the Clerk of the Board on February 27, 2018, therefore no new Categorical Exemption is required for the approval of the recommended actions.

Acting as the Board of Supervisors and Board of Directors, Flood Control and Water Conservation District, a motion was made by Supervisor Williams, seconded by Supervisor Hartmann, that this matter be Acted on as follows:

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

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-16) SOCIAL SERVICES[18-00152](#)

Consider recommendations regarding a Second Amendment to the Agreement with Pathway Family Services for Permanency Assessment Services, as follows:

- a) Approve and authorize the Chair to execute the Second Amendment to the Agreement with Pathway Family Services, a local vendor, for the provision of Permanency Assessment Services in the amount not to exceed \$160,000.00 for the period of July 1, 2017 through June 30, 2018; and
- b) Determine that the approvals and execution of the above Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), finding that the approvals and execution of the Amendment is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activities are not subject to CEQA.

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

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

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

A-17) SOCIAL SERVICES[18-00153](#)

Consider recommendations regarding an agreement with NEC Corporation of America for Workforce Optimization and Verbal Attestation, as follows:

- a) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with NEC Corporation of America for the provision of Workforce Optimization and Verbal Attestation in the amount not to exceed \$491,001.00 for the period of March 13, 2018 through December 31, 2018; and
- b) Determine that the approval and execution of the Agreement is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), finding that the execution of the Agreement is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment, and where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activities are not subject to CEQA.

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

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

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

Board of Supervisors

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

Absent: 1 - Supervisor Adam

A-18) SUPERVISOR WILLIAMS[18-00167](#)

Approve the reappointment of Jeffery Moore to the Behavioral Wellness Commission, term ending January 1, 2021, First District.

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

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

Absent: 1 - Supervisor Adam

A-19) SUPERVISOR WILLIAMS

[18-00176](#)

Approve the appointment of Philip Greene to the Agricultural Advisory Committee as an alternate member, term ending December 31, 2022, First District.

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

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

Absent: 1 - Supervisor Adam

A-20) SUPERVISOR WILLIAMS

[18-00177](#)

Approve the appointment of Duncan Wright to the Arts Commission, term ending June 30, 2019, First District.

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

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

Absent: 1 - Supervisor Adam

A-21) SUPERVISOR HARTMANN

[18-00160](#)

Approve the reappointment of Joan Fairfield to the Human Services Commission, term ending September 16, 2020, Third District.

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

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

Absent: 1 - Supervisor Adam

A-22) SUPERVISOR HARTMANN[18-00161](#)

Approve the reappointment of Molly Morrison to the Fish and Wildlife Commission, term ending December 31, 2020, Third District.

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

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

Absent: 1 - Supervisor Adam

A-23) SUPERVISOR HARTMANN[18-00162](#)

Approve the reappointment of Marianne Partridge to the Commission for Women, term ending July 1, 2020, Third District.

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

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

Absent: 1 - Supervisor Adam

A-24) SUPERVISOR HARTMANN[18-00163](#)

Approve the reappointment of Michael Maglinte to the North County Board of Architectural Review, term ending January 1, 2021, Third District.

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

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

Absent: 1 - Supervisor Adam

A-25) SUPERVISOR HARTMANN

[18-00164](#)

Approve the reappointment of Charles Gonzales to the Los Alamos Cemetery District Board of Directors, term ending December 31, 2018, Third District.

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

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

Absent: 1 - Supervisor Adam

A-27) SUPERVISOR HARTMANN

[18-00166](#)

Approve the reappointment of Judith Dale to the Library Advisory Committee, term ending June 30, 2019, Third District.

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

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

Absent: 1 - Supervisor Adam

Hearing Requests

A-28) COMMUNITY SERVICES

[18-00168](#)

Consider recommendations regarding the implementation of California Statewide Communities Development Authority's (CSCDA) Open PACE Program, as follows:

- a) Adopt a Resolution declaring the County of Santa Barbara's intention to make voluntary contractual assessment financing available to owners of commercial property within the unincorporated area of Santa Barbara County through participation in the CSCDA Open PACE Program for the installation of renewable energy, energy efficiency, water efficiency, and electric vehicle charging infrastructure and improvements; and
- b) Set a hearing to consider CSCDA's report about the Program (the Report), including the extent of the area proposed to be included within the Program, the terms and conditions of a draft contract between CSCDA and owners of commercial property participating in the Program, and the proposed financing provisions for the Program; and, to consider the adoption of a resolution consenting to the implementation of the Program to make voluntary contractual assessment financing available to owners of commercial property within the unincorporated area of Santa Barbara County, as follows:
(Set a hearing for April 3, 2018. Time estimate: 30 minutes.)
 - i) Adopt a Resolution consenting to the implementation of the Program within the unincorporated area of Santa Barbara County;
 - ii) Approve and authorize the Chair to execute the Participation Agreement for the California Statewide Communities Development Authority Property Assessed Clean Energy Open PACE Program; and
 - iii) Determine that the above recommended actions are not the approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), finding that the actions are the creation of a governmental funding mechanism or other government fiscal activity, which do 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 a Notice of Exemption (NOE).

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

a) Adopted.

RESOLUTION NO. 18-46

b) i) and ii) Set hearing on April 3, 2018 (EST. TIME: 30 MIN.).

The motion carried by the following vote:

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

Absent: 1 - Supervisor Adam

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.

No request to speak.

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE 18-00175

HEARING - Consider recommendations regarding an update on the Thomas Fire and January 9, 2018 Debris Flow community disaster recovery efforts, as follows: (EST. TIME: 30 MIN.)

- a) Receive and file an update from the County Executive Office on the January 9, 2018 Debris Flow community disaster recovery efforts;
- b) Receive an update from Planning and Development and Flood Control on the expected permitting and rebuild process in the areas affected by the debris flow;
- c) Provide further direction to staff as appropriate; and
- d) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines 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.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 9:17 AM - 9:47 AM (30 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) **Received update;**
- c) **Directed staff to return to the Board for consideration of an ordinance amendment pertaining to the definition of "like for like" to allow flexibility for resilience so long as setbacks are respected; and**
- d) **Approved.**

The motion carried by the following vote:

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

2) PLANNING AND DEVELOPMENT[18-00142](#)

HEARING - Consider the Planning Commission's recommendations to approve the Bell Street Ordinance Amendment and Tentative Tract Map, Mixed-Use Land Use Permit and Government Code Section 65402 Conformity Determination, which will effectuate an Ordinance amendment for all parcels zoned CM-LA within the Los Alamos Community Plan and the development of a mixed-use project at 230 St. Joseph Street in Los Alamos, (Case Numbers 17ORD-00000-00016/16TRM-00000-00002/17LUP-00000-00413, 17GOV-00000-00005), Third District, as follows: (EST. TIME: 30 MIN.)

- a) Adopt an Ordinance (Case No. 17ORD-00000-00016) amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code;
- b) Make the required findings for approval of the project;
- c) Approve the Tentative Tract Map (Case No. 16TRM-00000-00002) subject to the conditions of approval;
- d) Approve the Land Use Permit (Case No. 17LUP-00000-00413) subject to the conditions of approval;
- e) Determine that as reflected in the California Environmental Quality Act (CEQA) findings, no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this project; and
- f) Receive the Planning Commission conformity report required by Government Code Section 65402(a); the Planning Commission staff report dated November 22, 2017 and the Planning Commission Action letter for the hearing held on December 13, 2017 constitute the required report.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 11:25 AM - 11:35 AM (10 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Adopted;

ORDINANCE NO. 5034

b) Adopted required findings;

c) through e) Approved; and

f) Received.

The motion carried by the following vote:

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

3) PLANNING AND DEVELOPMENT18-00100

HEARING - 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: (EST. TIME: 30 MIN.)

- 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.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 9:50 AM - 11:10 AM (1 HR. 20 MIN.)

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be continued, as follows: June 19, 2018 in Santa Maria.

Further directed staff to return to the Board with additional information and options including but not limited to drainage, a potential pocket park and off-site mitigation with an endowment for long term management..

The motion carried by the following vote:

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

Noes: 1 - Supervisor Wolf

4) PLANNING AND DEVELOPMENT

18-00140

HEARING - Consider recommendations regarding the Coastal Resiliency Project Briefing, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Receive a staff briefing on the Coastal Resiliency Project, including the “Sea Level Rise and Coastal Hazards Vulnerability Assessment” and draft Local Coastal Program (LCP) policies;
- b) Provide initial comments and direction to staff regarding potential amendments to the LCP;
- c) Direct staff to return to the Board with proposed LCP amendments for the Board’s consideration after incorporating any comments and direction received from the Board and recommendations by the County Planning Commission; and
- d) Determine that the briefing, comments, and direction to staff do not constitute a project and are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15060(c)(3) and 15378(b)(2).

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 11:37 AM - 12:17 PM (40 MIN.)

Received and filed staff presentation and conducted public hearing.

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

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

The motion carried by the following vote:

Ayes: 3 - Supervisor Williams, Supervisor Wolf, and Supervisor Hartmann

Absent: 2 - Supervisor Adam, and Supervisor Lavagnino

5) COMMUNITY SERVICES18-00169

HEARING - Consider recommendations regarding an update on Federal Homeless Continuum of Care Program in Santa Barbara County, as follows: (EST. TIME: 45 MIN.)

a) Receive and file an update on the federal Homeless Continuum of Care Program (CoC) and its implementation in Santa Barbara County;

b) Consider the following actions regarding the County's role in the local Santa Maria/Santa Barbara County Continuum of Care (local CoC):

i) Approve the County's assumption of "Lead Agency" responsibilities for the local CoC, which would be in addition to the County's existing roles of Collaborative Applicant, Homeless Management Information System (HMIS) Lead Agency, and Grant Administrator; or

ii) Decline assuming "Lead Agency" responsibilities for the local CoC and provide alternate direction to staff; and

c) Determine that the recommended actions do not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), as the actions are organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and direct staff to file a Notice of Exemption.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 12:18 PM - 12:40 PM (22 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Received and filed.

b) i) Approved.

c) Approved.

Directed staff to reach out to the CoC regarding the appropriate refund of funds.

The motion carried by the following vote:

Ayes: 3 - Supervisor Williams, Supervisor Wolf, and Supervisor Hartmann

Absent: 2 - Supervisor Adam, and Supervisor Lavagnino

Adjourned at 1:55 PM

Adjourned to

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

<http://www.countyofsb.org>