

County of Santa Barbara
BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, March 12, 2019

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: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Pledge of Allegiance

Approval of Minutes of the March 5, 2019 Meeting

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

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

Abstained: 1 - Supervisor Lavagnino

County Executive Officer's Report

19-00001

No report from the County Executive Officer.

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.

Resolutions to be Presented

A-1) SUPERVISOR LAVAGNINO [19-00206](#)

Adopt a Resolution of Commendation honoring Yvonne Biely upon her retirement from the Fifth District.

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

RESOLUTION NO. 19-61

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

Administrative Items

A-2) COMMUNITY SERVICES [19-00201](#)

Consider recommendations regarding Camino Pescadero Beach Access Stair Replacement, Project No. 8656 (Project), Award of Contracts, Third District, as follows: (4/5 Vote Required)

- a) Approve the plans and specifications on file in the Community Services Department for the Camino Pescadero Beach Access Stair Replacement;
- b) Award, approve and authorize the Chair to execute a contract in the amount of \$597,210.00 to the lowest responsible bidder, Cushman Contracting Corporation, for the Project, subject to the provisions of the documents and certifications as set forth in the plans and specifications applicable to the Project and as required by California law;
- c) Authorize the Director of Community Services, or designee, to order changes or additions in the work being performed for the Project via change orders in the amount not to exceed \$42,361.00 as authorized under California Public Contract Code Section 20142;

d) Approve and authorize the Chair to execute the professional construction engineering service agreement with Stantec Consulting Services, Inc. in the amount not to exceed \$20,500.00 for the Project;

e) Approve Budget Revision Request No. 0006157 for completion of the Project; and

f) Determine that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15302 of the State Guidelines for the Implementation of CEQA which consists of the replacement or reconstruction of existing structures or facilities where the new structure will be located on the same site as the structure replaced, and will have substantially the same purpose and capacity as the structure replaced.

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

a) Approved;

b) Approved, and authorized; Chair to execute;

c) Authorized;

d) Approved and authorized; Chair to execute; and

e) and f) Approved.

The motion carried by the following vote:

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

A-3) COMMUNITY SERVICES

19-00200

Consider recommendations regarding a Fifth Amendment to the emPower Funding Agreement, as follows:

a) Approve and authorize the Chair to execute the Fifth Amendment to the Agreement to Deliver the 2013-2014 County of Santa Barbara emPower Energy Efficiency Program (emPower Funding Fifth Amendment) between the County of Santa Barbara and Southern California Gas Company (SoCalGas); and

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

A 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 Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-4) COMMUNITY SERVICES

19-00202

Consider recommendations regarding the 2019-2025 Tri-County Regional Energy Network (3C-REN) Memorandum of Agreement, as follows:

- a) Approve and authorize the Chair to execute the 2019-2025 3C-REN Memorandum of Agreement Between the County of Ventura, Santa Barbara County and San Luis Obispo County; and
- b) 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)(4), as the actions are 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 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 Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-5) COUNTY EXECUTIVE OFFICE [19-00196](#)

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

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

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

A-6) COUNTY EXECUTIVE OFFICE [19-00198](#)

Consider recommendations regarding Authorized Agents for the County during disasters, 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 the Designation of Applicant's Agent Resolution;
- c) Direct the Clerk of the Board or designee to submit to the California Office of Emergency Services the 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 motion was made by Supervisor Hartmann, seconded by Supervisor Adam, that this matter be acted on as follows:

a) Adopted;

RESOLUTION NO. 19-62

b) Adopted and directed;

c) Directed; and

d) Approved.

The motion carried by the following vote:

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

A-7) HUMAN RESOURCES

[19-00203](#)

Consider recommendations regarding establishing a Job Classification of Forensic Unit Supervisor, as follows:

a) Adopt a Resolution to establish the classification of Forensic Unit Supervisor (Class No. 3690, Range No. 3690, \$41.367-\$50.501 per hour); and

b) Determine that the above actions are exempt from California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15378(b)(4) since the recommended actions are 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:

a) Adopted; and

RESOLUTION NO. 19-63

b) Approved.

The motion carried by the following vote:

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

A-8) HUMAN RESOURCES

19-00204

Consider recommendations regarding establishing Job Classification of Fire Control Worker, Senior, as follows:

a) Adopt a Resolution to establish the classification of Fire Control Worker, Senior (Class 3550, Range 3550, \$18.074-\$22.065 per hour), and allocate two (2) full-time (1.0 FTE) positions to the Fire Control Worker, Senior classification; and

b) Determine that the above actions are exempt from California Environmental Quality Act (CEQA) review per CEQA Guidelines Section 15378(b)(4) since the recommended actions are 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 Hartmann, seconded by Supervisor Adam, that this matter be acted on as follows:

a) Adopted; and

RESOLUTION NO. 19-64

b) Approved.

The motion carried by the following vote:

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

A-9) TREASURER-TAX COLLECTOR

19-00197

Consider recommendations regarding Allan Hancock Joint Community College District Election of 2006 General Obligation Bonds, as follows:

a) Adopt a Resolution authorizing the Allan Hancock Joint Community College District to issue and sell bonds directly, in accordance with Education Code section 15140(b), in an amount not to exceed \$23,000,000.00; and

b) Determine that the above action does not involve any commitment to any specific project which may result in potentially significant impact on the environment, and therefore it is not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

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

a) Adopted; and

RESOLUTION NO. 19-65

b) Approved.

The motion carried by the following vote:

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

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) (19-00004)

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

Re: County Land use Process - Ed Kalasky addressed the Board.

Re: Issues Regarding Shalawa/Hammonds Meadow - David Blue Wolf Diaz addressed the Board.

Re: Retirement of John Karamitsos from the County of Santa Barbara - Brian Tetley addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE 19-00199

HEARING - Approve the appointment of one member of the Board of Supervisors to the Santa Barbara County Psychiatric Health Facility Governing Board (PHFGB). (EST. TIME: 5 MIN.)

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 9:27 AM - 9:28 AM (1 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Appointed Supervisor Williams as the Regular Member and Supervisor Hart as the Alternate Member of the Santa Barbara County Psychiatric Health Facility Governing Board.

The motion carried by the following vote:

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

2) COMMUNITY SERVICES19-00205

HEARING - Consider recommendations regarding the approval of Action Plan Substantial Amendment, consisting of \$232,000.00 for Camino Pescadero Stairs Replacement in Isla Vista, Third District, as follows: (EST. TIME: 30 MIN.)

a) Receive and file a staff report on the Substantial Amendment to the Fiscal Year (FY) 2018-2019 Action Plan, which describes the use of federal Community Development Block Grant (CDBG) funds by the Santa Barbara County Community Service Department Parks Division for the Camino Pescadero beach access stairs project in Isla Vista (Project);

b) Hear and consider public comments received on the draft Action Plan Amendment during the 30-day public comment period, which began on February 11, 2019 and concludes at the end of the March 12, 2019 public hearing on this item;

c) Approve the Substantial Amendment to the FY 2018-2019 Action Plan, which adds the use of Two Hundred Thirty Two Thousand Dollars (\$232,000.00) in CDBG funds to \$465,000.00 in previously Board-approved FY 2018-2019 CDBG funds, for a total Project cost of \$697,000.00 and direct staff to submit the Substantial Amendment to HUD; and

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

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 9:29 AM - 9:32 AM (3 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) Received and filed;**
- b) Considered public comment; and**
- c) and d) Approved.**

The motion carried by the following vote:

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

3) PLANNING AND DEVELOPMENT

19-00163

HEARING - Consider recommendations regarding the Planning Commission (Commission) recommended Ordinance amending the County Land Use and Development Code (LUDC) (Case No. 17ORD-00000-00005), Section 35-1 of Chapter 35, Zoning, of the Santa Barbara County Code, to address permitting requirements for hoop structures and shade structures, as follows: (EST. TIME: 3 HRS.)

a) Make the required findings for approval, including California Environmental Quality Act (CEQA) findings and Statement of Overriding Considerations;

b) Certify the Hoop Structures Ordinance Amendment Program Environmental Impact Report (17EIR-00000-00004) (State Clearinghouse No. 2017101040), as modified by the EIR Revision Document RV 01 dated March 12, 2019; and

c) Adopt an Ordinance amending the LUDC (Case No. 17ORD-00000-00005), Section 35-1 of Chapter 35, Zoning, of the Santa Barbara County Code, to address permitting requirements for hoop structures and shade structures.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 9:34 AM - 1:54 PM (4 HR. 20 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Conceptually directed staff to return to the Board with findings to remove mitigation measures from the Planning Commission recommendations due to economic infeasibility and threats to agricultural viability, to recirculate and draft Findings of Overriding Considerations.

The motion failed by the following vote:

Ayes: 2 - Supervisor Adam, and Supervisor Lavagnino

Noes: 3 - Supervisor Williams, Supervisor Hart, and Supervisor Hartmann

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

Conceptually directed staff regarding the Planning Commission recommendations as follows:

Exempt hoop structures 20 feet and under except in the two overlay zones - the design overlay in the Santa Ynez Valley and the Critical Viewshed Corridor on the Gaviota Coast where the 4,000 and 20,000 square foot triggers would apply for a zoning clearance or land use permit;

On slopes of 30% or under;

Maintain a creek setback of 100 feet in the rural area and 50 feet in the urban area;

Meet the historic cultivation criteria of one in the last three years;

Upon permit trigger, the first 20,000 square feet require a Zoning Clearance and above 20,000 square feet will require a Land Use Permit;

Inclusive of development standards and planning permit requirements as reflected in the draft ordinance.

The motion carried by the following vote:

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

Noes: 2 - Supervisor Adam, and Supervisor Lavagnino

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

a) through c) Continued to April 9, 2019 on the Departmental Agenda in Santa Maria.

The motion carried by the following vote:

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

Adjourned at 1:55 PM

Adjourned to

Tuesday, March 19, 2019

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 12, 2019 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, March 14, 2019, at 5:00 PM and on Saturday, March 16, 2019, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>