

County of Santa Barbara
BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, October 6, 2020

9:00 AM

REMOTE VIRTUAL PARTICIPATION ONLY

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 September 22, 2020 Meeting

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

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

Approval of Minutes of the September 29, 2020 Special Meeting

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

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

County Executive Officer's Report

[20-00001](#)

County Executive Officer, Mona Miyasato introduced Fire Chief Mark Hartwig and Office of Emergency Management Director Kelly Hubbard to remind the public of the importance of fire prevention and specifically kitchen fires. For more information or to sign up for alerts, please visit sbcfire.com or readsbc.org.

12:00 P.M. Recessed to Closed Session**Closed Session****20-0002**

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

Robert Kirsch, et al. v. County of Santa Barbara, Santa Barbara County Superior Court case number 20CV02214.

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

Significant exposure to civil litigation: 1 case(s).

Report from Closed Session

No reportable action taken.

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.

Honorary Resolutions

A-1) SUPERVISOR WILLIAMS [20-00783](#)

Adopt a Resolution proclaiming the Second Monday of October 2020 as Indigenous Peoples’ Day in Santa Barbara County.

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

RESOLUTION NO. 20-184

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

A-2) SUPERVISOR HART [20-00774](#)

Adopt a Resolution proclaiming the week of October 4, 2020 through October 10, 2020 as National Fire Prevention Week in Santa Barbara County.

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

RESOLUTION NO. 20-185

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

A-3) SUPERVISOR HART [20-00778](#)

Adopt a Resolution Celebrating the 50th Anniversary of People’s Self-Help Housing.

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

RESOLUTION NO. 20-186

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

A-4) SUPERVISOR HARTMANN [20-00777](#)

Adopt a Resolution of Commendation honoring Shamoel Faizullabhoy upon his retirement from the District Attorney’s Office after over 32 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 20-187

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

A-5) SUPERVISOR HARTMANN [20-00781](#)

Adopt a Resolution proclaiming the week of October 4, 2020 through October 10, 2020 as National 4-H Week in Santa Barbara County.

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

RESOLUTION NO. 20-188

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

A-6) SUPERVISOR LAVAGNINO, SUPERVISOR WILLIAMS [20-00779](#)

Adopt a Resolution proclaiming the month of September 15, 2020 through October 15, 2020 as Hispanic Heritage Month in Santa Barbara County.

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

RESOLUTION NO. 20-189

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

Administrative Items**A-7) AGRICULTURAL COMMISSIONER [20-00760](#)**

Consider recommendations regarding a Sudden Oak Death (SOD) Program Agreement Number 20-0506-011-SF with the California Department Food and Agriculture (CDFA), as follows:

a) Approve, ratify and authorize the Chair to execute an agreement with the CDFA for services related to the SOD Program in the County of Santa Barbara for the period of July 1, 2020 through June 30, 2021 in the amount of \$8,747.91; and

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

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

a) Approved, ratified 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-8) AUDITOR-CONTROLLER

[20-00776](#)

Receive and file the County of Santa Barbara’s Comprehensive Annual Financial Report (CAFR) and Financial Highlights for the Fiscal Year ended June 30, 2020, as follows:

- a) Receive and file the County of Santa Barbara’s CAFR for the Fiscal Year ended June 30, 2020;
- b) Receive and file the County of Santa Barbara’s Financial Highlights report for the Fiscal Year Ended June 30, 2020;
- c) Receive and file the Required Communication Letter Pursuant to Statements on Auditing Standards (SAS) No. 114 for the Fiscal Year ended June 30, 2020; and
- d) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15378(b)(5), because they are government fiscal activities which do not involve commitment to any specific project which may result in potentially significant physical impact on the environment.

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

- a) through c) Received and filed; and**
- d) Approved.**

The motion carried by the following vote:

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

A-9) BEHAVIORAL WELLNESS

[20-00787](#)

Consider recommendations regarding a service agreement with Crestwood Behavioral Health, Inc. Champion Healing Center Mental Health Rehabilitation Center (MHRC), Fiscal Years (FYs) 2020-2024, as follows:

- a) Approve, ratify and authorize the Chair to execute an Agreement for Services of Independent Contractor with Crestwood Behavioral Health, Inc., a Delaware corporation, (not a local vendor) for the provision of in-county MHRC services for a maximum contract amount not to exceed \$16,900,000.00 for the period of October 5, 2020 through June 30, 2024, inclusive of \$3,200,000.00 for FY 2020-2021; \$4,300,000.00 for FY 2021-2022; \$4,400,000.00 for FY 2022-2023; and \$5,000,000.00 for FY 2023-2024;

b) Delegate to the Behavioral Wellness Director, or designee, the authority to make immaterial changes to the agreement; adjust the rate for special services to accommodate clients with acute needs, additional monitoring, or medical complexity and reallocate funds between funding sources during the term of the agreement, as long as there is no change to the Maximum Contract Amount; and amend the program goals, outcomes, and measures in Exhibit E, all without needing to return to the Board for a formal amendment to the Agreement, subject to the Board's authority to rescind this delegated authority at any time; and

c) Determine that the above actions are government fiscal activities or funding mechanisms, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

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

a) Approved, ratified and authorized; Chair to execute;

b) Delegated; and

c) Approved.

The motion carried by the following vote:

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

A-10) CLERK-RECORDER-ASSESSOR

20-00764

Consider recommendations regarding additional Recorder Full-Time Employees (FTE) in the Clerk-Recorder-Assessor Department, as follows:

a) Adopt a Salary Resolution changing existing position allocations in the Clerk-Recorder-Assessor Department, effective on October 19, 2020; and

b) Determine that the above actions are not a "project" and are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) because they are organization or administrative activities of governments that will not result in direct or indirect physical changes to 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. 20-190

b) Approved.

The motion carried by the following vote:

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

A-11) COMMUNITY SERVICES

20-00756

Consider recommendations regarding the California Department of Conservation Local and Regional Planning Grant Program: TerraCount, as follows:

a) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with Rincon Consultants, Inc. in an amount not to exceed \$110,000.00 for consulting services; 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 15306, as the actions consist of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource, and 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, and Section 15378(b)(5), as the actions are the organizational and administrative activities of governments that will not result in direct or indirect physical changes in the environment.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, 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: 3 - Supervisor Williams, Supervisor Hart, and Supervisor Hartmann

Noes: 1 - Supervisor Adam

Abstained: 1 - Supervisor Lavagnino

A-12) COMMUNITY SERVICES[20-00759](#)

Consider recommendations regarding the Execution of a Grant Agreement between the County of Santa Barbara and the City of Santa Barbara for Fiscal Year (FY) 2020-2021 for Arts and Culture Programs and Projects, as follows:

- a) Approve, ratify and authorize the Chair to execute an agreement with the City of Santa Barbara to receive a grant in the amount of \$436,090.00 for the period of July 1, 2020 through June 30, 2021 for the County's Office of Arts and Culture to implement and administer the City's arts grant program and to provide administrative services in support of the City's arts programs; and
- b) Determine that the approval and execution of the Agreement is 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 action is a creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant 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, ratified 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-13) COUNTY COUNSEL[20-00757](#)

Consider recommendations regarding the 2020 Biennial Review and amendments to the Conflict of Interest Code of the Santa Barbara County Employees' Retirement System, as follows:

- a) Approve the proposed amended Conflict of Interest Code of the Santa Barbara County Employees' Retirement System (SBCERS); and
- b) Determine that the above action is an organizational or administrative activity of the government that will not result in direct or indirect physical changes in the environment and is therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA Guidelines.

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

A-14) COUNTY COUNSEL

20-00758

Consider recommendations regarding the 2020 Biennial Review and amendments to the Conflict of Interest Code of the Santa Maria Joint Union High School District, as follows:

a) Approve the proposed amended Conflict of Interest Code of the Santa Maria Joint Union High School District; and

b) Determine that the above action is an organizational or administrative activity of the government that will not result in direct or indirect physical changes in the environment and is therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(5) of the CEQA Guidelines.

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

A-15) COUNTY COUNSEL

20-00761

Consider recommendations regarding an Agreement for Professional Legal Services with Rutan and Tucker, LLP for Eminent Domain Proceedings and Litigation, as follows: (4/5 Vote Required)

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

a) Approve, ratify, and authorize the Chair to execute the Agreement for Professional Legal Services between the Santa Barbara County Flood Control and Water Conservation District and attorney Douglas Dennington, of the law firm Rutan and Tucker, LLP, from September 10, 2020 through June 30, 2022, for a total not to exceed amount of \$150,000.00; 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) in that it does not involve a commitment to any specific project which may result in a potentially significant impact to 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) Approved, ratified 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-16) COUNTY COUNSEL

20-00763

Consider recommendations regarding an Agreement for Professional Legal Services with Outside Counsel Rutan and Tucker, LLP, as follows: (4/5 Vote Required)

- a) Approve, ratify, and authorize the Chair to execute the Agreement for Professional Legal Services between the County of Santa Barbara and attorney Douglas Dennington, of the law firm Rutan and Tucker, LLP, from September 10, 2020 through June 30, 2022, for a total not to exceed amount of \$150,000.00; 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) in that it does not involve a commitment to any specific project which may result in a potentially significant impact to the environment.

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

- a) Approved, ratified 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-17) COUNTY COUNSEL[20-00765](#)

Consider recommendations regarding a Revenue Agreement to provide Legal Services between the County of Santa Barbara and Beach Erosion Authority for Clean Oceans and Nourishment (BEACON), as follows:

a) Approve, ratify, and authorize the Chair to execute the revenue Agreement to provide Legal Services between the County of Santa Barbara and BEACON, for a term of July 1, 2020 through June 30, 2021, with a projected revenue of \$12,000.00; 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 withdrawn from the agenda. The motion carried by the following vote:

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

A-18) COUNTY COUNSEL[20-00768](#)

Consider recommendations regarding Outside Counsel Contract with Goodin, MacBride, Squeri and Day, LLP, as follows:

a) Approve, ratify, and authorize the Chair to execute an Agreement for Professional Legal Services with the law firm of Goodin, MacBride, Squeri and Day, LLP which will support the County of Santa Barbara's participation in ongoing regulatory rulemaking by the California Public Utilities Commission about electric power line de-energization events, with a not-to-exceed amount of \$75,000.00 and a term commencing October 1, 2020 and ending September 30, 2021; and

b) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(5) of the CEQA Guidelines, because they consist of administrative activities of government 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, ratified 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-19) COUNTY EXECUTIVE OFFICE [20-00780](#)

Approve Budget Revision Requests. (4/5 Vote Required)

A motion was made by Supervisor Williams, seconded by Supervisor Hartmann, 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-20) COUNTY EXECUTIVE OFFICE [20-00788](#)

Consider recommendations regarding a First Amendment to the Foodbank of Santa Barbara County COVID-19 Funding Agreement, as follows:

- a) Approve, ratify and authorize the Chair to execute an Amendment of the funding agreement with the Foodbank of Santa Barbara County for emergency feeding services in response to the COVID-19 pandemic. This First Amendment extends the term through March 31, 2021; and
- b) Determine that the proposed action is related to the creation of a government funding mechanism and other fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and is therefore exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guideline section 15378 (b) (4).

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

- a) Approved, ratified 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-21) FIRE[20-00766](#)

Consider recommendations regarding the acceptance of a non-cash vehicle donation of \$57,000.00 from the Santa Barbara Firefighters Alliance to the Santa Barbara County Fire Department, as follows: (4/5 Vote Required)

a) Authorize the County of Santa Barbara Fire Protection District to accept a non-cash vehicle donation of \$57,000.00 from the Santa Barbara Firefighters Alliance, a non-profit organization;

b) Approve Budget Revision Request No. 0007217; and

c) Determine that the above 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), 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.

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

a) Authorized; and

b) and c) Approved.

The motion carried by the following vote:

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

A-22) GENERAL SERVICES[20-00767](#)

Consider recommendations regarding the Buellton Senior Center 25-Year Lease Agreement (R/P File No.: 000999), Third District, as follows:

a) Find that the programs and services provided at the Buellton Senior Center at 164 West Highway 246, Units A and B, in Buellton (Premises) by the Buellton Senior Center, a California non-profit corporation, are necessary to meet the health, welfare, and social needs of the local senior community, and that the Premises are not needed by the County for the period of this Lease Agreement;

b) Approve and authorize the Chair to execute the Lease Agreement (Agreement) between the Buellton Senior Center as Lessee and the County of Santa Barbara as Lessor wherein the County, pursuant to California Government Code Section 26227, leases the subject Premises for a period of 25 years with two 5-year renewal options described in Section 5, which will allow the Lessee to undertake fundraising events for some needed improvements to the Buellton Senior Center subject to approval of plans by the County Capital Projects Assistant Director;

- c) Approve and authorize the Director of the General Services Department, or their designee, until otherwise ordered by the Board of Supervisors and subject to concurrence from Risk Management, to approve the renewal options pursuant to Section 5, Extension of Lease; and
- d) Determine that the proposed actions are exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 because they consist only of the continued leasing of existing public structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that which presently exists, and approve and direct staff to file and post 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;**
- b) **Approved and authorized; Chair to execute;**
- c) **Approved and authorized; and**
- d) **Approved.**

The motion carried by the following vote:

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

A-23) PLANNING AND DEVELOPMENT

20-00710

Consider recommendations regarding a proposed amendment to the Planning and Development Fee Ordinance for Commercial Telecommunication Facilities Tier 2A (Small Cell Wireless Facilities), as follows:

- a) Consider and approve the adoption (second reading) of an Ordinance amending fees for Planning and Development services; and
- b) Find that the proposed action is an administrative activity of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a "project" as defined for purposes of the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15273(a)(1) and 15378(b)(5).

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

a) Considered and adopted; and

ORDINANCE NO. 5118

b) Approved.

The motion carried by the following vote:

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

A-24) PROBATION, SOCIAL SERVICES

20-00772

Consider recommendations regarding an agreement with Goodwill Industries of Ventura and Santa Barbara Counties for Prison to Employment Services, as follows: (4/5 Vote Required)

a) Approve and authorize the Chair to execute an Agreement for Services of Independent Contractor with Goodwill Industries of Ventura and Santa Barbara Counties (Goodwill) (a local vendor) which presently provides employment development and subsidized employment services to felony probationers to provide Prison to Employment (P2E) Program services for a total contract amount not to exceed \$316,848.00 from October 6, 2020 through June 30, 2022;

b) Approve Budget Revision Request No. 0007191 to increase appropriations of \$144,022.00 in the Probation Department General Fund for Services and Supplies funded by unanticipated Other Funding Sources; increase appropriations of \$144,022.00 in Social Services Department WIOA-WDB Fund for Other Financing Uses funded by a decrease in Services and Supplies; and

c) Determine that the above recommended actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3), finding that the above recommended actions are 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) and c) Approved.

The motion carried by the following vote:

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

A-25) PUBLIC HEALTH[20-00769](#)

Consider recommendations regarding a First Amendment to the American Medical Response West for Non-Emergency Transport Services for COVID-19 Response, as follows:

a) Approve, ratify, and authorize the Chair to execute an Amendment for American Medical Response West Agreement, to continue providing non-emergency transport services and symptom assessments for suspected and confirmed COVID-19 sheltered clients. This First Amendment extends the term through June 30, 2021, and increases funding by \$100,000.00 for a revised total amount not to exceed \$350,000.00; and

b) Determine that the proposed action does not constitute a “Project” within the meaning of California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(4) of the CEQA Guidelines, because it consists of the creation of a government funding mechanism or other government fiscal activities, which does not involve any commitment to any specific project which may result in a potentially significant 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, ratified 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-26) PUBLIC HEALTH[20-00771](#)

Consider recommendations regarding HIV Program COVID Relief Grant Agreements, as follows: (4/5 Vote Required)

a) Approve, ratify, and authorize the Director of Public Health to execute Grant Agreement 19-11161 with the California Department of Public Health (CDPH) to accept funding for the implementation of the HIV CARE Program COVID Relief Project in the amount not to exceed \$49,586.00 for the Agreement period of April 15, 2020 through March 31, 2021;

b) Approve and authorize the Public Health Director to make and sign all required certifications and to make Project Representative changes in accordance with the HIV CARE Program COVID Relief Project Grant Agreement 19-11161;

c) Approve, ratify, and authorize the Public Health Department Director to accept and receive funding through the Health Resources and Services Administration (HRSA) Grant Award H7CHA37296 from the Coronavirus Aid, Relief, and Economic Security (CARES) Act HR 748 for the implementation of the Ryan White HIV/AIDS Program Part C EIS COVID-19 Response in the amount not to exceed \$59,250.00 for the Agreement period of April 1, 2020 through March 31, 2021;

d) Approve and authorize Budget Revision Request No. 0007207 in the amount of \$108,836.00 to establish appropriations for \$108,836.00 of unanticipated revenue from CDPH and HRSA to increase Services and Supplies for FY 2020-2021 in the County's financial system; and

e) Determine that the above actions are not a "Project" under the California Environmental Quality Act (CEQA) review per CEQA Guideline section 15378(b)(4), since the recommended actions are government fiscal activities which do not involve a 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, ratified and authorized;

b) Approved and authorized;

c) Approved, ratified and authorized;

d) Approved and authorized; and

e) Approved.

The motion carried by the following vote:

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

A-27) PUBLIC HEALTH

[20-00773](#)

Consider recommendations regarding an Intergovernmental Transfer with the State Department of Health Care Services, as follows: (4/5 Vote Required)

a) Approve, ratify, and authorize the Chair to execute the Intergovernmental Transfer Agreement (Contract No. 19-96413) regarding transfer of Public Funds with the California Department of Health Care Services for the transfer of approximately \$3,062,430.00 from Public Health to the Department of Health Care Services with a term of July 1, 2019 through June 30, 2023;

- b) Approve, ratify, and authorize the Public Health Department Director to execute the Intergovernmental Transfer Agreement with the Santa Barbara Medi-Cal Managed Care Plan for participation in an Intergovernmental Transfer to obtain federal financial participation leveraged on local dollars used for care provided to CenCal Health eligible patients with a term of July 1, 2019 through September 30, 2023;
- c) Approve Budget Revision Request No. 0007224 in the amount of \$4,620,000.00 to establish appropriations from a release of Public Health Special Revenue Fund balance in Services and Supplies of \$330,000.00, other Financing Uses of \$1,640,000.00 and a designation of \$2,980,000.00 of unanticipated revenue from the Voluntary Rate Range Program. Establish appropriations of \$1,640,000.00 in General County Programs to be funded by a transfer from the Public Health Fund; and
- d) Determine that these activities are exempt from California Environmental Quality Act (CEQA) review as they are not a project under CEQA Guideline Section 15378(b)(4), since this is a government fiscal activity that does not involve commitment to any specific project that may result in a potentially significant 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, ratified and authorized; Chair to execute;**
- b) **Approved, ratified and authorized; 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

A-28) PUBLIC HEALTH

20-00775

Consider recommendations regarding a revenue agreement with Public Health Foundation Enterprises, Inc. DBA Heluna Health for Emerging Issues (E), as follows: (4/5 Vote Required)

- a) Approve, ratify, and authorize the Chair to execute Work Order Agreement 0187.4680 with the Public Health Foundation Enterprises, Inc. DBA Heluna Health to accept funding for the implementation of the Emerging Issues (E) Project Funding for Adjusting Community Mitigation in Response to COVID-19 in the amount up to \$323,114.00 with a term of May 1, 2020 through March 31, 2022;
- b) Approve and authorize the Public Health Director, or designee, to make Project Representative changes in accordance with the Grant Agreement;

c) Approve Budget Revision Request No. 0007200 for the Fiscal Year 2020-2021 allotment of \$161,557.00 to cover costs associated with COVID-19 response activities; and

d) Determine that this action is exempt from California Environmental Quality Act (CEQA) review per CEQA Guideline section 15378(b)(4), since the recommended action is a government fiscal activity which does not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

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

a) Approved, ratified and authorized; Chair to execute;

b) Approved and authorized; 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

Board of Supervisors

A-29) SUPERVISOR HARTMANN [20-00782](#)

Approve the appointment of Jon Hooten to the Los Alamos Planning Advisory Committee, 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: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-30) SUPERVISOR HARTMANN [20-00785](#)

Approve the appointment of Tamara Rowles to the Civil Service Commission, term ending May 31, 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: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

A-31) SUPERVISOR HARTMANN

20-00786

Approve the appointment of Alfredo Guerra Jr. to the Guadalupe Cemetery Board of Directors, term ending July 1, 2022, 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: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Adam, and Supervisor Lavagnino

Public Comment Period

THE PUBLIC COMMENT PERIOD IS RESERVED FOR COMMENT ON MATTERS WITHIN THE SUBJECT MATTER JURISDICTION OF THE BOARD OF SUPERVISORS. EACH PERSON MAY ADDRESS THE BOARD FOR UP TO THREE MINUTES AT THE DISCRETION OF THE CHAIR, FOR A TOTAL PUBLIC COMMENT PERIOD OF NO MORE THAN 15 MINUTES. (Resolution No. 09-368) (20-00004)

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 20-00281

HEARING - Consider recommendations regarding a Coronavirus Disease 2019 (COVID-19) Update, as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Receive and file a brief update on COVID-19 and Santa Barbara County’s response and operations;
- b) Provide any direction, as appropriate; and
- c) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA), because pursuant to sections 15378(b)(4) and 15378(b)(5) the recommended actions consist of organizational, administrative or fiscal activities of government that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 9:36 AM - 10:32 AM (56 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) No action taken; and**
- c) Approved.**

The motion carried by the following vote:

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

2) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT, GENERAL SERVICES 20-00770

HEARING - Consider recommendations regarding a Resolution of Necessity for a Temporary Construction Easement for the Lower Mission Creek APN: 037-245-017 (No. 003784) owned by Reginald E. Drew, Jr., First District, as follows: (4/5 Vote Required) (EST. TIME: 30 MIN.)

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

- a) Adopt a Resolution of Necessity for the acquisition of a temporary construction easement in the real property located at 315 Chapala Street, Santa Barbara (APN 037-245-017), which is owned by Reginald E. Drew, Jr, for the Lower Mission Creek Project;
- b) Authorize the Director of Public Works, or designee, to execute any documents and to expend funds for deposit with the State Treasurer’s Office in a sum equal to the appraised fair market value for the Property interest, estimated at \$10,125.00 for APN 037-245-017, plus related costs and fees, in order to acquire the interest; and
- c) After considering the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Lower Mission Creek Flood Control Project and the discussion included herein, find that pursuant to the California Environmental Quality Act (CEQA) Section 15162, no substantial changes are proposed, and there are no substantial changes in circumstances or new information of substantial importance regarding significant impacts or feasibility of mitigation measures and alternatives, and therefore, pursuant to CEQA Section 15162, the recommended actions are within the scope of the project covered by the EIS/EIR for the Lower Mission Creek Flood Control Project as well as the Findings and Statement of Overriding Considerations accepted by the Board of Directors as a Responsible Agency on May 10, 2011, and no new environmental document is required; and approve and direct staff to file the Notice of Determination on these basis.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: APPROVE

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be withdrawn from the agenda.

The motion carried by the following vote:

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

3) PLANNING AND DEVELOPMENT

20-00762

HEARING - Consider recommendations regarding the Santa Barbara County Coalition for Responsible Cannabis Appeal of the Planning Commission Approval of the Castlerock Family Farms II, LLC Cannabis Cultivation Land Use Permit, Case No. 20APL-000000-00019, Third District, as follows: (EST. TIME: 3 HR.)

- a) Deny the appeal, Case No. 20APL-00000-00019;
- b) Make the required findings for approval of the Project, Case No 19LUP-00000-00050, including California Environmental Quality Act (CEQA) findings;
- c) Determine that the previously certified Program Environmental Impact Report (EIR) (17EIR-00000-00003) constitutes adequate environmental review and no subsequent EIR or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162 and 15168 (c)(2); and
- d) Grant de novo approval of the Project, Case No. 19LUP-00000-00050 subject to the conditions of approval.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 10:45 AM - 12:30 PM AND 1:25 PM - 1:44 PM (2 HR. 4 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) Denied the appeal, Case No. 20APL-00000-00019;

Directed staff to amend recommended actions b), c) and d), as follows:

b) Accepted Applicant’s requested change to the Project Description at the Board of Supervisors Hearing dated October 6, 2020 to revise the number of annual harvests from four to three and make the required findings for approval of the Project, Case No 19LUP-00000-00050, as specified in Attachment 1 of the Board Letter, including California Environmental Quality Act (CEQA) findings;

c) Determined that the previously certified Program EIR (17EIR-00000-00003) constitutes adequate environmental review and no subsequent Environmental Impact Report or Negative Declaration is required pursuant to CEQA Guidelines Sections 15162 and 15168 (c)(2) (included as Attachments 3 and 11 of the Board Letter) and the CEQA Checklist Project Description as revised at the Board of Supervisors Hearing on October 6, 2020; and

d) Granted de novo approval of the Project, Case No. 19LUP-00000-00050 subject to the conditions of approval (included as Attachment 2 of the Board Letter) and as revised at the Board of Supervisors Hearing on October 6, 2020.

The motion carried by the following vote:

- Ayes:** 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino
- Noes:** 1 - Supervisor Adam

4) HUMAN RESOURCES[20-00745](#)

HEARING - Consider recommendations regarding an Amendment to the Ordinance Setting Compensation and Benefits for Members of the Santa Barbara County Board of Supervisors, as follows: (EST. TIME: 15 MIN.)

a) Approve the introduction (first reading) of the Ordinance, which amends Ordinance 5090 setting compensation and benefits for members of the Board of Supervisors, as follows:

i) Effective in the first pay period sixty (60) days after Board approval, provide a 3% salary increase consistent with the October 2019 Index of the Consumer Price Index - Urban (CPI - U) for the Los Angeles-Long Beach-Anaheim area, and provide future annual salary increases equal to increases in the October CPI-U for the Los Angeles-Long Beach-Anaheim area from a minimum of 0% to a maximum of 3% each Fiscal Year;

ii) Upon approval of the 3% salary increase, effective in the first pay period sixty (60) days after Board approval, the biweekly allowance provided to the Chair of the Board of Supervisors will also increase by 3% from \$71.18 to approximately \$73.32 based upon the October 2019 CPI-U for the Los Angeles-Long Beach-Anaheim area, and continue to provide future adjustments to the Chair allowance from a minimum of 0% to a maximum of 3% each Fiscal Year equal to the increases in the October CPI-U for the Los Angeles-Long Beach-Anaheim area;

iii) Effective in the first pay period sixty (60) days after Board approval, implement an additional ongoing 0.83% pension cost-sharing pick-up for members of the Board of Supervisors in classic/legacy retirement plans;

iv) Effective with the 2021 health insurance plan year (Pay Period 2021-01) or in the first pay period sixty (60) days after Board approval, provide to all Board members enrolled in and receiving County-sponsored health insurance the same 5.3% increase to the County contributions for health insurance in an amount up to the maximum cost received by all other County employees for "employee only" coverage of the employee only premium in the EPO Low Health Plan and provide for future adjustments to the County contribution in the same amount as provided to Elected Department Heads;

v) Effective in the first pay period sixty (60) days after Board approval, decrease the automobile allowance for members of the Board of Supervisors by \$2.00 biweekly to \$230.00 biweekly to align the automobile allowance with the amount that is paid to elected County department heads and thereafter provide the same automobile allowance to members of the Board of Supervisors as is provided to Elected Department Heads, which is tied to IRS rates, effective in Pay Period 1 of each calendar year; and

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

c) Continue the hearing to the Administrative Agenda of October 13, 2020 to approve the amendment to Ordinance 5090, as follows:

i) Provide a 3% salary increase, effective in the first pay period sixty (60) days after Board approval which is consistent with the October 2019 Index of the Consumer Price Index - Urban (CPI - U) for the Los Angeles-Long Beach-Anaheim area to be effective during Fiscal Year 2020-2021 and provide future, annual salary increases based on the Consumer Price Index - Urban (October Indices) from a minimum of 0% to a maximum of 3% each Fiscal Year;

ii) Upon approval of the 3% salary increase, effective in the first pay period sixty (60) days after Board approval, the biweekly allowance paid to the Chair of the Board of Supervisors will also increase by 3% from \$71.18 to approximately \$73.32 based upon the October 2019 CPI-U for the Los Angeles-Long Beach-Anaheim area, and provide future adjustments to the Chair allowance from a minimum of 0% to a maximum of 3% each Fiscal Year based on the October CPI-U for the Los Angeles-Long Beach-Anaheim area;

iii) Implement an additional ongoing 0.83% pension cost-sharing pick-up for members of the Board of Supervisors in classic/legacy retirement plans, effective in the first pay period sixty (60) days after Board approval;

iv) Provide a 5.3% increase to the County contributions to health insurance for all Board members enrolled in and receiving County-sponsored health insurance, effective with the 2021 plan year (Pay Period 2021-01) or in the first pay period sixty (60) days after Board approval, which is consistent with the increase all County employees on health plans will receive to the County contribution to health insurance, effective with the 2021 health insurance plan year and provide future adjustments to the County contributions to health insurance in the same amount as provided to Elected Department Heads;

v) Decrease the automobile allowance for members of the Board of Supervisors by \$2.00 biweekly to the amount of \$230.00 biweekly to match the automobile allowance of other elected County department heads in the first pay period sixty (60) days after Board approval and provide future adjustments to the automobile allowance to mirror the automobile allowance paid to Elected Department Heads, which is tied to IRS rates, effective in the first pay period of each calendar year; and

d) Determine that the above actions are government fiscal activities or funding mechanisms which do not involved any commitment to any specific project which may result in potential physical impacts on the environment, and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to Section 15378(b)(4) of the CEQA guidelines.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 1:44 PM - 1:52 PM (8 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) i) through v) Approved the introduction (first reading);
- b) Read title, waived further reading of the Ordinance;
- c) i) through v) Adoption (second reading) set for October 13, 2020 on the Administrative Agenda; and
- d) Approved.

The motion carried by the following vote:

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

Noes: 2 - Supervisor Hart, and Supervisor Adam

**The Santa Barbara County Board of Supervisors Adjourned the Meeting of
October 6, 2020 in Memory of Thomas Chiarodit**

Adjourned to

Tuesday, October 13, 2020

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, October 6, 2020 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, October 8, 2020, at 5:00 PM and on Saturday, October 10, 2020, at 10:00 AM on CSBTV Channel 20.

<http://www.countyofsb.org>