County of Santa Barbara

BOARD OF SUPERVISORS



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

Mona Miyasato, County Executive Officer

Action Summary

Tuesday, February 2, 2021 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 Nelson, and Supervisor Lavagnino

Pledge of Allegiance

Approval of Minutes of the January 26, 2021 Meeting

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

Ayes:

 Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

County Executive Officer's Report

21-00001

No report from the County Executive Officer, Mona Miyasato.

12:00 P.M. Recessed to Closed Session

Closed Session

21-00118

CONFERENCE WITH LABOR NEGOTIATORS (Subdivision (a) of Government Code section 54957.6)

Employee organizations: Civil Attorneys' Association, Deputy District Attorneys' Association, Deputy Sheriffs' Association, Engineers and Technicians' Association, Fire Fighters Local 2046, Probation Peace Officers Association, SEIU Local 620, SEIU Local 721, and the Union of American Physicians and Dentists. Agency-designated representatives: County Executive Officer Mona Miyasato and Human Resources Director Maria Elena de Guevara.

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.

Administrative Items

A-1) <u>COUNTY EXECUTIVE OFFICE</u>

21-00106

Consider recommendations regarding an Independent Contractor Agreement with Wood Environment and Infrastructure Solutions, Inc. for the 2022 Multi-Jurisdictional Hazard Mitigation Plan (MJHMP) update, as follows:

- a) Approve and authorize the Chair to execute the Independent Contractor Agreement with Wood Environment and Infrastructure Solutions, Inc. for the 2022 MJHMP update for a contract amount not to exceed \$213,089.00 for the period from February 3, 2021 through October 1, 2022; and
- b) Determine that the above activity is not a "Project" subject to California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(5), since the activity is an organizational or administrative activity of government 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: 4 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, and Supervisor Lavagnino

Noes: 1 - Supervisor Nelson

A-2) PLANNING AND DEVELOPMENT

21-00104

Consider recommendations regarding the California Coastal Commission Certification of an Amendment to the Local Coastal Program regarding the 2019 General Package Ordinance Amendment, First, Second, and Third Districts, as follows:

- a) Receive notice of the California Coastal Commission's certification of an amendment to the County's Local Coastal Program (Coastal Commission Case No. LCP-4-STB-19-0157-1 2019 General Package Ordinance Amendment) with two suggested modifications;
- b) Adopt a Resolution acknowledging receipt of the California Coastal Commission's certification with suggested modifications, accepting and agreeing to the modifications, agreeing to issue Coastal Development Permits for the total area included in the certified Local Coastal Program, and adopting the Local Coastal Program Amendment with the suggested modifications;
- c) Determine that the Board's action is not subject to the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080.9. The County relied upon CEQA Guidelines Sections 15061(b)(3), 15162 (Addendum to 97-ND-02, dated March 4, 2011), and 15265 for environmental review of Case No. 19ORD-00000-00005, 2019 General Package Ordinance Amendment; and
- d) Direct the Planning and Development Department to transmit the adopted Resolution to the Executive Director of the California Coastal Commission.

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

- a) Received;
- b) Adopted;

RESOLUTION NO. 21-21

- c) Approved; and
- d) Directed.

The motion carried by the following vote:

A-3) PUBLIC HEALTH

21-00112

Consider recommendations regarding an OCHINLINK Access Agreement with CenCal Health, as follows:

- a) Approve and authorize the Chair to execute an OCHINLINK Access Agreement with CenCal Health for the period of February 2, 2021 through March 31, 2022;
- b) Approve and authorize the Public Health Director, or designee, to extend the period of performance in accordance with Section 17 of the Agreement, to terminate the Agreement, and to make immaterial changes that do not alter the obligations of the County; and
- c) Determine that the activity is not a "Project" subject to California Environmental Quality Act (CEQA) review per CEQA Guideline Section 15378(b)(5), since the activity is an organizational or administrative activity of government 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;
- b) Approved and authorized; and
- c) Approved.

The motion carried by the following vote:

A-4) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT

21-00108

Consider recommendations regarding authorization to advertise and receive bids for Phase 2 North Trunk Sewer Lining Project, Fourth District, as follows:

Acting as Board of Directors, Laguna County Sanitation District:

- a) Authorize the Public Works Director to advertise and receive bids for the Phase 2 North Trunk Lining project; and
- b) Determine that the action is within the scope of the North Trunk Sewer Rehabilitation project included in the Notice of Exemption prepared pursuant to Section 15301(b) of Title 14 of the California Code of Regulations (California Environmental Quality Act Guidelines) dated September 26, 2019, accepted October 26, 2019 and posted by the Clerk of the Board office on November 1, 2019.

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

Acting as Board of Directors, Laguna County Sanitation District:

- a) Authorized; and
- b) Approved.

The motion carried by the following vote:

A-5) PUBLIC WORKS

21-00107

Consider recommendations regarding the Jalama Road Culvert Replacement at M.P. 4.3 County Project No. 862415, Federal Aid Project No. (4305-070-017), Third District, as follows:

- a) Approve the Jalama Road Culvert Replacement at M.P. 4.3 Project;
- b) Authorize the Director of Public Works to proceed with right-of-way negotiations for the potential purchase of Temporary Construction and Permanent Easements in support of the Jalama Road Culvert Replacement at M.P. 4.3 Project;
- c) Authorize the Director of Public Works to advertise for bids to construct the Jalama Road Culvert Replacement at M.P. 4.3 Project; and
- d) Find the Jalama Road Culvert Replacement at M.P. 4.3 is exempt from the provisions of California Environmental Quality Act pursuant to 14 CCR 15301(c) (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), and approve the filing of a Notice of Exemption on that basis.

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

- a) Approved;
- b) and c) Authorized; and
- d) Approved.

The motion carried by the following vote:

A-6) PUBLIC WORKS

21-00110

Consider recommendations regarding Rescinding and Adopting Parking Restrictions in the Fourth District, as follows:

- a) Adopt a Resolution to rescind parking restrictions on Union Valley Parkway in the Orcutt area of the Fourth District;
- b) Adopt a Resolution to establish new parking restrictions on Union Valley Parkway in the Orcutt area of the Fourth District; and
- c) Find that the proposed actions are for the operation and maintenance of an existing public facility, involving negligible, or no expansion of use beyond that which presently exists, that the proposed action is therefore exempt from California Environmental Quality Act pursuant to 14 CCR 15301(c), and approve and direct staff to file a Notice of Exemption on that basis.

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

a) Adopted;

RESOLUTION NO. 21-22

b) Adopted; and

RESOLUTION NO. 21-23

c) Approved.

The motion carried by the following vote:

Board of Supervisors

A-7) SUPERVISOR WILLIAMS

21-00099

Approve the reappointment of Bradley Miles to the Agricultural Advisory Committee, term ending January 1, 2025, First District.

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

Ayes:

 Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-8) SUPERVISOR WILLIAMS

21-00100

Approve the appointment of Stefanie M. Herrington to the Commission for Women, term ending January 1, 2024, First District.

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

Ayes:

 Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-9) SUPERVISOR WILLIAMS

21-00101

Approve the reappointment of Ron Pulice to the Montecito Planning Commission, term ending January 1, 2023, First District.

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

Ayes:

A-10) SUPERVISOR HART

21-00102

Approve the appointment of Anahid Papakhian to the Behavior Wellness Commission, term ending January 1, 2023, Second District.

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

Ayes:

 Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-11) SUPERVISOR HART

21-00103

Approve the appointment of Ruth Watkins Ackerman to the Behavioral Wellness Commission, term ending January 1, 2023, Second District.

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

Ayes:

 Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-12) SUPERVISOR HARTMANN

21-00109

Approve the appointment of Katherine Stewart to the Mosquito and Vector Management District of Santa Barbara County, term ending December 31, 2023, representing the Board of Supervisors.

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

Ayes:

Hearing Requests

A-13) HUMAN RESOURCES

21-00114

Set a hearing to consider recommendations regarding an Ordinance amending Chapter 27, Personnel, Articles I and II and a Resolution establishing County Office Hours, as follows: (Set a hearing for March 2, 2021. Time estimate: 30 minutes)

That the Board of Supervisors on February 2, 2021 consider recommendations, as follows:

- a) Set hearing for March 2, 2021 to consider an Ordinance Amending Chapter 27, Personnel, Articles I and II, to provide textual clarity and modernization of the 1971 language; and
- b) Find that the proposed actions do not constitute a "Project" within the meaning of California Environmental Quality Act, pursuant to 14 CCR 15378(b)(2), as it consists of general policy and procedure making;

That the Board of Supervisors on March 2, 2021 consider recommendations, as follows: (4/5 Vote Required)

- a) Consider the introduction (First Reading) of an Ordinance Amending Chapter 27, Personnel, Articles I and II, to provide textual clarity and modernization of the 1971 language;
- b) Read the title of the Ordinance and waive full reading of the Ordinance;
- c) Set a hearing on the Administrative Agenda for March 9, 2021 to consider the adoption (Second Reading) of an Ordinance Amending Chapter 27, Article I and II, to provide textual clarity and modernization of the 1971 language; and
- d) Find that the proposed actions do not constitute a "Project" within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378(b)(2), as it consists of general policy and procedure making;

That the Board of Supervisors on March 9, 2021 consider recommendations, as follows: (4/5 Vote Required)

- a) Consider adoption (Second Reading) of an Ordinance Amending Chapter 27, Personnel, Articles I and II, to provide clarity and modernization of the 1971 language;
- b) Adopt the Resolution Regarding County Office Hours; and

c) Find that the proposed actions do not constitute a "Project" within the meaning of California Environmental Quality Act, pursuant to 14 CCR 15378(b)(2), as it consists of general policy and procedure making.

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be set for a hearing, as follows: March 2, 2021 (EST. TIME 30 MINS.). The motion carried by the following vote:

Ayes:

 Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Resolution to be Presented

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

21-00143

Adopt a Resolution proclaiming the month of February 2021 as Black History 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. 21-24

Ayes:

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) (21-00002)

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

Re: Remarks Regarding the Citizens Independent Redistricting Commission - Andy Caldwell addressed the Board

Re: Remarks of Appreciation for Assistant County Executive Officer Bernard Melekian - Renee O'Neill addressed the Board

Re: Affordable Housing Issues - Tom Becker addressed the Board

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

1) COUNTY EXECUTIVE OFFICE

21-00113

HEARING - Consider recommendations regarding an update on the Coronavirus Disease 2019 (COVID-19), as follows: (EST. TIME: 1 HR. 30 MIN.)

- a) Receive and file a brief update on the Coronavirus Disease 2019 (COVID-19) and Santa Barbara County's response and operations;
- b) Receive and file a presentation on federal and state rental assistance program funding and provide direction as appropriate;
- c) Provide any direction, as appropriate; and
- d) 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: 10:03 AM - 11:28 AM (1 HR. 25 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) Received and filed; directed staff to proceed with option three(3) for the Hybrid Program Delivery Model as reflected on slide twenty-one(21) of staff's presentation before the Board on February 2, 2021;
- c) No further action taken; and
- d) Approved.

The motion carried by the following vote:

2) COUNTY EXECUTIVE OFFICE

21-00116

HEARING - Consider recommendations regarding Chapter 50 - Licensing of Commercial Cannabis Operations Ordinance Amendments, as follows: (EST. TIME: 1 HR.)

- a) Consider the introduction (First Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara amending Chapter 50 of the Santa Barbara County Code, Licensing of Commercial Cannabis Operations;
- b) Read the title: "An Ordinance Amending Chapter 50, Licensing of Commercial Cannabis Operations, of The Santa Barbara County Code," and waive reading of the Ordinance in full;
- c) Set a hearing on the Administrative Agenda for February 9, 2021 to consider the adoption (Second Reading) of an Ordinance Amending Chapter 50 of the Santa Barbara County Code, Licensing of Commercial Cannabis Operations; and
- d) Make the required California Environmental Quality Act (CEQA) findings and determine for the purposes of CEQA that:
- i) These actions are within the scope of the Cannabis Land Use Ordinance and Licensing Program, and the Cannabis Land Use Ordinance and Licensing Program Final Programmatic Environmental Impact Report (PEIR) [Case No. 17EIR-00000-00003, State Clearinghouse No. 2017071016] adequately describes this activity for the purposes of CEQA; and
- ii) Pursuant to CEQA Guidelines section 15162(a), after considering the PEIR certified by the Board of Supervisors on February 6, 2018, that no subsequent EIR or Negative Declaration is required because: i) no substantial changes are proposed which require major revisions of the PEIR; ii) no substantial changes have occurred with respect to the circumstances under which the Ordinance is undertaken which require major revisions of the PEIR; and iii) no new information of substantial importance concerning the Ordinance's significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the PEIR was certified, has been received;

That the Board of Supervisors on Administrative Agenda of February 9, 2021 consider recommendations, as follows:

- a) Consider adoption (Second Reading) of an Ordinance of the Board of Supervisors of the County of Santa Barbara amending Chapter 50 to the Santa Barbara County Code, Licensing of Commercial Cannabis Operations; and
- b) Make the required California Environmental Quality Act (CEQA) findings and determine for the purposes of CEQA that:

- i) These actions are within the scope of the Cannabis Land Use Ordinance and Licensing Program, and the Cannabis Land Use Ordinance and Licensing Program Final PEIR [Case No. 17EIR-00000-00003, State Clearinghouse No. 2017071016] adequately describes this activity for the purposes of CEQA; and
- ii) Pursuant to CEQA Guidelines section 15162(a), after considering the PEIR certified by the Board of Supervisors on February 6, 2018, that no subsequent EIR or Negative Declaration is required because: i) no substantial changes are proposed which require major revisions of the PEIR; ii) no substantial changes have occurred with respect to the circumstances under which the Ordinance is undertaken which require major revisions of the PEIR; and iii) no new information of substantial importance concerning the Ordinance's significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the PEIR was certified, has been received.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 11:29 AM - 12:43 AM (1HR. 14 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Introduction (First Reading) approved as amended to incorporate the revised language as reflected on slide six(6) from staff's presentation before the Board on February 2, 2021;

Directed staff to return to the Board as appropriate regarding a discussion on the "Change of Ownership"; further directed staff to return to the Board on a yearly basis for updates to Chapter 50;

- b) Read title, waived further reading of the Ordinance;
- c) Set a hearing on the Administrative Agenda for February 9, 2021 to consider the Adoption (Second Reading) of the Ordinance; and
- d) i) and ii) Approved.

The motion carried by the following vote:

3) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Consider recommendations regarding the request of the Central Coast Water Authority (CCWA) to approve two Water Supply Contract Amendments, as follows: (EST. TIME: 1 HR. 30 MIN.)

21-00088

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

- a) Consider the request of the CCWA to approve Amendment 20 (Contact Extension Amendment) to the State Water Project (SWP) Contract, as follows:
- i) Approve and authorize the Public Works Director or his designee to execute Amendment 20 (Contract Extension) to the SWP Contract contingent upon full approval and execution of the First Amendment to the Transfer of Financial Responsibility Agreement (TFRA);
- ii) Approve and authorize the Public Works Director or designee to execute the First Amendment to the TFRA with CCWA to extend the term of the TFRA to match the extended term of the SWP as approved in Amendment 20; and
- iii) Certify that the Board, acting as a Responsible Agency, has reviewed and considered the information and environmental effects contained in the Final Environmental Impact Report (FEIR) for Amendment 20 to the SWP Contract, and that the California Department of Water Resources (DWR) as Lead Agency found no significant impacts and is the custodian of the records located at https://ceqanet.opr.ca.gov/2014092036/2;
- b) Consider the request of the CCWA to approve Amendment 21 (Water Management Amendment) to the SWP Contract;
- i) Authorize the Public Works Director or his designee to negotiate a revenue sharing and water sales agreement with CCWA as a contingency for approval of Amendment 21 to the SWP Contract; and
- ii) Direct staff to return to the Board with both the revenue sharing and water sales agreement and Amendment 21 for approval;
- c) Provide additional direction to staff regarding the SWP; and

d) Determine that the proposed actions are not a project under the California Environmental Quality Act, pursuant to Guidelines Section 15378(b)(5), organization or administrative activities that will not result in a direct or indirect physical change in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 2:05 PM - 3:13 PM (1 HR. 8 MIN.)

A motion was made by Supervisor Hart, seconded by Supervisor Lavagnino, that this matter be continued, as follows: March 2, 2021 on the Departmental Agenda.

The motion carried by the following vote:

Ayes:

Adjourned at 3:13 PM

Adjourned to

Tuesday, February 9, 2021

Challenges

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

Announcements

The meeting of Tuesday, February 2, 2021 will be telecast live on County of Santa Barbara TV Channel 20 at 9:00 AM, and will be rebroadcast on Thursday, February 4, 2021, at 5:00 PM and on Saturday, February 6, 2021, at 10:00 AM on CSBTV Channel 20.

http://www.countyofsb.org