

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, March 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 February 9, 2021 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 Nelson, and Supervisor Lavagnino

Approval of Minutes of the February 23, 2021 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 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****[21-00176](#)**

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

Significant exposure to civil litigation: 1 case.

On January 19, 2021, the County received a threat of litigation (letter attached to the Closed Session Agenda, File No. 21-00176) from Reetz, Fox and Bartlett regarding Tom and Kelly Bilek's application for an Accessory Dwelling Unit.

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

County Counsel

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) BEHAVIORAL WELLNESS, COMMUNITY SERVICES [21-00153](#)

Consider recommendations regarding approval for the County of Santa Barbara to submit a joint application for State No Place Like Home (NPLH) non-competitive funds with the Housing Authority of Santa Barbara County (HACSB) and enter into a Memorandum of Understanding for the Cypress and 7th proposed supportive housing project; adopt a Resolution authorizing the Department of Behavioral Wellness to act on behalf of the County in connection with an award of NPLH funds; and approve a conditional reservation of \$632,696.00 for the Cypress and 7th proposed supportive housing project, Fourth District, as follows:

a) Approve a conditional reservation of \$632,696.00 of NPLH non-competitive funds, inclusive of the initial \$550,000.00 conditional allocation, to the HACSB for the proposed development of supportive affordable housing at 1401 East Cypress Avenue, Lompoc, California (APN 085-150-089) to be set aside through September 30, 2021, and direct and authorize the Director of Behavioral Wellness to execute such letter;

b) Adopt a Resolution that:

i) Authorizes the County to submit a joint application with the HACSB as developer-borrower to the California Department of Housing and Community Development (State HCD) for NPLH non-competitive loan funds for the proposed development of a supportive affordable housing project at 1401 East Cypress Avenue, Lompoc, California (APN 085-150-089);

ii) If funds are awarded, authorizes and directs the Director of the Department of Behavioral Wellness, or her designee, to act on behalf of the County in connection with an award of NPLH non-competitive program funds;

c) Authorize and direct the Director of the Department of Behavioral Wellness, or her designee, to execute a Memorandum of Understanding with the HACSB and Cypress and 7th, L.P. for Behavioral Wellness to provide supportive services for a minimum of twenty years to NPLH tenants at the supportive affordable housing project located at 1401 East Cypress Avenue, Lompoc, California (APN 085-150-089);

d) Direct the Director of the Department of Behavioral Wellness, or her designee, to return to the Board for further direction prior to exercising the authority delegated to her pursuant to Recommended Action B; and

e) Determine that the above recommended actions are not a project subject to 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 does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; and Public Resources Code section 21163.1, which states that a decision by a public agency to seek funding from the No Place Like Home Program does not constitute a “project”.

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

a) Approved, directed and authorized;

b) i) and ii) Adopted;

RESOLUTION NO. 21-29

c) Authorized and directed;

d) Directed; and

e) Approved.

The motion carried by the following vote:

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

A-2) BEHAVIORAL WELLNESS[21-00155](#)

Consider recommendations regarding the Department of Health Care Services (DHCS) Telehealth Support Grant Award, as follows: (4/5 Vote Required)

- a) Approve, ratify, and authorize the Department of Behavioral Wellness Director to execute twelve grant agreements (No. CA20MAT214-225) with Sierra Health Foundation: Center for Health Program Management, a California nonprofit public benefit corporation that is assisting the DHCS with the administration of grant funds, accepting a total of \$522,000.00 to support behavioral health telehealth infrastructure improvement activities due to the impact of COVID-19 for the period of September 1, 2020 through June 30, 2021;
- b) Delegate to the Department of Behavioral Wellness Director the authority to execute subsequent reports pursuant to Exhibit II Program and Financial Reporting Requirements of the grant agreements and to execute immaterial amendments to the grant agreements that do not change the amount or substantive terms of the grant agreements, subject to the Board's ability to rescind the delegated authority at any time;
- c) Approve Budget Revision Request No. 0007294 increasing appropriations of \$472,000.00 in the Behavioral Wellness Department, Mental Health Services Act Fund, for S&S (\$344,100.00) and Capital Assets (\$127,900.00) and increasing appropriations of \$50,000.00 in Behavioral Wellness Department, Mental Health Services Fund, for S&S (\$18,100.00) and Capital Assets (\$31,900.00). A total of \$522,000.00 in unanticipated revenue from the DHCS Telehealth Grant Award; and
- d) 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 Hartmann, seconded by Supervisor Williams, that this matter be acted on as follows:

- a) **Approved, ratified and authorized;**
- b) **Delegated; and**
- c) **and d) Approved.**

The motion carried by the following vote:

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

A-3) BEHAVIORAL WELLNESS

[21-00152](#)

Consider recommendations regarding the First Amendment to the California Mental Health Services Authority (CalMHSA) Participation Agreement for the Mental Health Service Act (MHSA) Innovation Program (a.k.a. Help@Hand) for Fiscal Year (FY) 2019-2024, as follows:

a) Approve, ratify and authorize the Chair to execute the First Amendment to the CalMHSA Participation Agreement for the MHSA Innovation Program (a.k.a. Help@Hand) (Agreement No. 445-ITS-2019-SB-A1) to update the Exhibit B General Terms and Conditions and Exhibit C County Specific Scope and Funding with no change to the administrative fee or the overall contract of \$1,520,873.00 for the Help@Hand program for the procurement of technology services from July 1, 2019 through June 30, 2024; and

b) Determine that the above actions are government fiscal activities, which do not involve any commitment to any specific project that 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 Hartmann, seconded by Supervisor Williams, 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 Nelson, and Supervisor Lavagnino

A-4) COUNTY EXECUTIVE OFFICE

[21-00154](#)

Consider recommendations regarding appointments to the Cachuma Resource Conservation District Board of Directors, as follows:

a) Consider the appointment of Directors to the Cachuma Resource Conservation District pursuant to California Public Resources Code sections 9314 and 9316, as follows:

i) Re-appoint Gary Cavaletto and James Stollberg to the Board of the Cachuma Resource Conservation District to four year terms ending on November 29, 2024; and

ii) Appoint Paul Van Leer to the Board of the Cachuma Resource Conservation District to a four year term ending on November 29, 2024; and

b) Determine that the appointment of a Director to the Board of Directors of the Cachuma Resource Conservation District does not constitute a project subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b) (5), as the actions are organizational or 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) through b) Approved.

The motion carried by the following vote:

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

A-5) COUNTY EXECUTIVE OFFICE [21-00170](#)

Approve Budget Revision Requests Nos. 0007381, 0007396, and 0007399 (Majority Vote Required); and Budget Revision Requests Nos. 0007216, 0007398, 0007411, and 0007416 (4/5 Vote Required).

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

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

A-6) GENERAL SERVICES [21-00165](#)

Consider recommendations regarding a Contract Amendment for the New Cuyama Fire Station 27, Project No. 8751, First District, as follows:

a) Approve and authorize the Chair to execute an Amendment to the contract with Anderson Burton for the New Cuyama Fire Station 27; authorizing expansion of the Communications Room and increasing the contract by \$311,669.00 for a revised, total contract amount of \$6,749,337.30;

b) Authorize the General Services Director or designee to approve change orders, as authorized under California Public Contract Code Section 20142, to Anderson Burton (BC 20-071) for an aggregate amount not to exceed \$334,383.41, for the construction of the New Cuyama Fire Station 27, which could increase the total contract amount to an amount not to exceed \$7,083,720.71; and

c) Find that the project was determined by your Board to be exempt from the provisions of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15302 on November 5, 2019, that a Notice of Exemption was filed on that basis, and that the above actions are within the scope of that Notice of Exemption.

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) Authorized; and

c) Approved.

The motion carried by the following vote:

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

A-7) GENERAL SERVICES, COMMUNITY SERVICES

[21-00159](#)

Consider recommendations regarding the Santa Barbara Veterans Memorial Building Kitchen License and Management Agreement (R/P File No.: 003708), Second District, as follows:

a) Determine, in accordance with California Government Code Section 26227 and California Military and Veterans Code Section 1264, that the Santa Barbara Agriculture and Farm Education Foundation, Inc., a California nonprofit public benefit corporation, operates a program that will meet the social needs of the population of the County and serve public purposes, and that its use of a portion of the Santa Barbara Veterans Memorial Building at 112 W. Cabrillo Boulevard, Santa Barbara, CA 93101, County Assessor Parcel No. 033-101-013, for a term of up to six (6) years will not interfere with the County's use of the facility or the reasonable use by any veterans association, organization or non-profit agency;

b) Approve and authorize the Chair to execute a Kitchen License and Management Agreement with Santa Barbara Agriculture and Farm Education Foundation, Inc. for the use and management of a 378-square-foot portion of the Santa Barbara Veterans Memorial Building at 112 W. Cabrillo Boulevard, Santa Barbara, CA 93101, County Assessor Parcel No. 033-101-013, for a term of five (5) years plus one option to extend for a period of one (1) year; and

c) Determine that the recommended action is exempt from environmental review in accordance with California Environmental Quality Act (CEQA) Guidelines Sections 15301, Existing Facilities, and 15323, Normal Operations of Facilities for Public Gatherings, and approve the 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) Approved and authorized; Chair to execute; and
- c) Approved.

The motion carried by the following vote:

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

A-8) GENERAL SERVICES, PUBLIC WORKS, BOARD OF DIRECTORS, 21-00160
FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Consider recommendations regarding a Transfer of Real Property at North Preisker Lane in Santa Maria from Flood Control to the City of Santa Maria, Fifth District, as follows: (4/5 Vote Required)

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

- a) Adopt a Resolution determining that the real property located at the terminus of North Preisker Lane in Santa Maria (San Luis Obispo County Assessor's Parcel Number 090-341-051) is not needed for flood control purposes, which will enable the District to dispose of the property in the manner prescribed by law for such action by counties;
- b) Approve and authorize the Chair to execute the Transfer Agreement between the District and the City detailing the terms and conditions of the property transfer;
- c) Approve and authorize the Chair to execute the Quitclaim Deed, which will release District's rights, title and interest in the subject property;
- d) Instruct the Director of the County Public Works Department, or Director's designee, to present the executed Quitclaim Deed to the City of Santa Maria for acceptance and thereafter cause the Quitclaim Deed to be entered into the official records of the San Luis Obispo County Clerk-Recorder's Office; and
- e) Determine that the recommended actions are exempt under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15061(b)(3) and 15325, as the actions consist of the transfer of ownership interests in land for park purposes and the preservation of open spaces and do not have any reasonable probability of a significant effect on the environment, and direct staff to file a CEQA 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:

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

a) Adopted;

RESOLUTION NO. 21-30

b) and c) Approved and authorized; Chair to execute; and

d) and e) Approved.

The motion carried by the following vote:

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

A-9) PUBLIC WORKS

21-00161

Consider recommendations regarding Construction of Storm Damage Repairs on N. Jameson Lane Guardrail Repairs Near Bridges BR-0341 (Romero Cr), BR-0342 (San Ysidro Cr), and BR-0343 (Oak Cr), County Project 18114P, Federal Project ER-38MO (002), First District, as follows:

a) Approve and authorize the Chair to execute an Amendment to the Contract for the Storm Damage Repairs on N. Jameson Lane Guardrail Repairs Near Bridges BR-0341 (Romero Cr), BR-0342 (San Ysidro Cr), and BR-0343 (Oak Cr); County Project 18114P; Federal Project ER-38MO(002), increasing the contract amount by \$25,000.00, resulting in a total contract amount, including contingency and supplemental items, of \$335,580.00; and

b) Determine the project was found by the Board to be exempt from the provisions of California Environmental Quality Act pursuant to 14 CCR 15301 (c) on November 6, 2018, as the proposed project 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, and the proposed action is within the scope of that Notice of Exemption, and a Notice of Exemption was filed on that basis.

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

A-10) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND 21-00162
WATER CONSERVATION DISTRICT, GENERAL SERVICES

Consider recommendations regarding Lower Mission Creek Improvement and Restoration Project, Reach 2B Phase II Acquisition, District Project No. SC8042, First District, as follows:

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

- a) Approve and authorize the Director of Public Works to execute an Easement Purchase Agreement between the Santa Barbara County Flood Control and Water Conservation District (District) and 317 Chapala Street, LLC., (Owner) for the purchase, for a total cost not to exceed \$365,000.00 inclusive of relocation costs, of a permanent easement, permanent non-exclusive access and staging easement and temporary construction easement and agreement on a portion of real property located at 317 Chapala Street (County Assessor Parcel Number: 037-245-012) in connection with the Lower Mission Creek Improvement and Restoration Project, Reach 2B Phase II District Project No. SC8042;
- b) Accept the Permanent Easement Deed, and Permanent Non-Exclusive Access and Staging Easement Deed conveying easement interests in the real property located at 317 Chapala Street (County Assessor Parcel Number 037-245-012) to the District and authorize the Director of Public Works to sign the Certificates of Acceptance;
- c) Approve and authorize the Director of Public Works to execute a Temporary Construction Easement and Agreement between the District and Owner for the temporary use on a portion of the property located at 317 Chapala Street (County Assessor Parcel Number 037-245-012);
- d) After considering the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Lower Mission Creek Flood Control Project, the Findings and Statement of Overriding Considerations accepted by the Board of Directors as a Responsible Agency on May 10, 2011, and the discussion included herein, find that pursuant to 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 the recommended actions are within the scope of the project covered by the aforementioned environmental documents and no new environmental document is required; and approve and direct staff to file the Notice of Determination on these bases.

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

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

- a) Approved and authorized;
- b) Accepted and authorized;
- c) Approved and authorized; and
- d) Approved.

The motion carried by the following vote:

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

A-11) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [21-00163](#)

Consider recommendations regarding the 2021 Updated Debris Basin Maintenance and Management Plan, Romero Creek, Colds Springs, and San Ysidro Debris Basins Improvement Projects, First and Second Districts, as follows:

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

- a) Find that pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the project and therefore pursuant to the CEQA Section 15168 (c)(2), that the Updated Debris Basin Maintenance and Management Plan is within the scope of the project covered by the Program Environmental Impact Report for the Updated Routine Maintenance Program (01-EIR-01) approved in 2001 and no new environmental document is required;
- b) Consider the addenda to the previously certified Program Environmental Impact Report (01-EIR-01) and determine that the addenda contained within the Updated Debris Basin Maintenance and Management Plan have been completed in compliance with the CEQA and adopt the mitigation measures included for each project as the Mitigation and Monitoring Plan pursuant to CEQA Guidelines Section 15168 (c)(3);
- c) Adopt the CEQA findings included in the Updated Debris Basin Maintenance and Management Plan;
- d) Approve individual projects described in the Updated Debris Basin Maintenance and Removal Plan; and

e) Authorize the Public Works Director to advertise and receive bids for the Romero Creek Debris Basin, Cold Springs Debris Basin, and San Ysidro Debris Basin Improvement Projects.

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

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

a) and b) Approved;

c) Adopted;

d) Approved; and

e) Authorized.

The motion carried by the following vote:

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

**A-12) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY, [21-00164](#)
BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION
DISTRICT**

Consider recommendations regarding Authorization to Execute Proposition 1 Integrated Regional Water Management Implementation Grant Subgrant Agreements pursuant to California Proposition 1 Implementation Round 1 Integrated Regional Water Management Grant Funding, as follows:

Acting as Board of Directors, Water Agency:

a) Approve and authorize the Public Works Director or his designee to execute a Proposition 1 Integrated Regional Water Management Implementation Grant Subgrant Agreement and all necessary subsequent agreements or amendments with the Laguna County Sanitation District, the City of Santa Barbara, and the City of Guadalupe, pursuant to the Proposition 1 Implementation Round 1 Integrated Regional Water Management Grant; and

b) Find that these actions do not constitute “Projects” within the meaning of the California Environmental Quality Act pursuant to 14 CCR 15378 (b)(4).

Acting as Board of Directors, Laguna County Sanitation District:

c) Approve and authorize the Public Works Director or his designee to execute a Proposition 1 Integrated Regional Water Management Implementation Grant Subgrant Agreement and all necessary subsequent agreements or amendments with the County Water Agency pursuant to the Proposition 1 Implementation Round 1 Integrated Regional Water Management Grant; and

d) Find that this action does not constitute a “Project” within the meaning of the California Environmental Quality Act pursuant to 14 CCR 15378 (b)(4).

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

Acting as Board of Directors, Water Agency:

a) Approved and authorized;

b) Approved;

Acting as Board of Directors, Laguna County Sanitation District:

c) Approved and authorized; and

d) Approved.

The motion carried by the following vote:

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

Board of Supervisors

A-13) SUPERVISOR WILLIAMS

[21-00175](#)

Approve the appointment of Sharrie Suzanne (Suzy) Cawthon to the Parks Commission, 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: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-14) SUPERVISOR HARTMANN

[21-00151](#)

Approve the appointment of Robert Richards to the South County Board of Architectural Review, term ending January 1, 2025, Third 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: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-15) SUPERVISOR HARTMANN[21-00172](#)

Approve the appointment of Arcelia Sencion to the Commission for Women, term ending January 1, 2022, Third 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: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

A-16) SUPERVISOR NELSON[21-00169](#)

Approve the reappointment of Laura Nuzzo to the Air Pollution Control District Community Advisory Council, open term, Fourth 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: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, and Supervisor Lavagnino

Hearing Requests

A-17) COUNTY EXECUTIVE OFFICE[21-00173](#)

Set a hearing to consider, accept and forward to the Office of the Governor, Santa Barbara County Board of Supervisor nomination(s) of one or more member of a Board of Supervisors and one or more mayor or member of a City Council from San Luis Obispo, Santa Barbara and Ventura Counties for appointment as the South Central Coast Region representative on the California Coastal Commission.

(Set a hearing for March 16, 2021. Time Estimate: 30 minutes)

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be set for a hearing, as follows: March 16, 2021 (EST. TIME 30 MINS.). The motion carried by the following vote:

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

A-18) PUBLIC WORKS[21-00167](#)

Set a hearing to adopt the Proposed Fee Ordinance for the Surveyor Division in Public Works Department, as follows:

(Set a hearing for March 16, 2021. Time estimate: 30 minutes)

- a) Approve the introduction (first reading) of the proposed Ordinance amending fees for County Surveyor services;
- b) Read the title “An Ordinance Adopting a Schedule of Fees for Services Provided by the Department of Public Works, County Surveyor Division in Connection with the Review and Approval of Subdivision and Survey Related Documents and Maps within the Jurisdiction of Santa Barbara County,” and waive full reading of the selected Ordinance; and
- c) Continue the hearing to the Administrative Agenda of April 6, 2021 to consider recommendations, as follows:
 - i) Consider and approve the adoption (second reading) of the Ordinance amending fees for County Surveyor services effective 60 days after adoption; and
 - ii) Find that the above-recommended actions are the establishment, modification, structuring, restricting, or approval of rates, tolls, fees, or other charges by public agencies which the public agency finds are for the purpose of meeting operating expenses and purchasing or leasing supplies, equipment, or materials and are therefore not subject to the CEQA under California Public Resources Code section 21080, subdivisions (b)(8)(A) and (B), and State CEQA Guidelines Section 15273, subdivisions (a)(1) and (a)(2), and are 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 CEQA under State CEQA Guidelines and Section 15378, subdivisions (b)(4) and (b)(5).

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be set for a hearing, as follows: March 16, 2021 (EST. TIME 30 MINS.). The motion carried by the following vote:

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

Honorary Resolutions

A-19) SUPERVISOR HARTMANN

21-00150

Adopt a Resolution proclaiming the week of February 28, 2021 through March 6, 2021 as Peace Corps Week in Santa Barbara County.

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

RESOLUTION NO. 21-31

Ayes: 5 - Supervisor Williams, Supervisor Hart, Supervisor Hartmann, Supervisor Nelson, 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) (21-00002)

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

Re: Shared Appreciation for the COVID-19 Vaccine Clinic for Farm Workers in Santa Barbara County - Anahi Santos, Leslie Guzman, Zulema Aleman and Leo Ortega addressed the Board

Re: Concerns with Santa Barbara County Smart Meter Radiation & Cell Towers - Katie Mikey and Anne-Odile Thomas addressed the Board

Re: Concerns Regarding the Use of Force by Law Enforcement during Protests of the San Marcos Foothills Development Project - Christina Wilbrun and Nick Conn addressed the Board

Re: Highlighting the Importance of Black History Month - Linda Honikam addressed the Board

Departmental Agenda
Planning Items and Public Hearings

1) COUNTY EXECUTIVE OFFICE 21-00157

HEARING - Consider recommendations regarding an Update on the Coronavirus Disease 2019 (COVID-19), as follows: (EST. TIME: 2 HR.)

- 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: 9:18 AM - 10:38 AM (1 HR. 20 MIN.)

Received and filed staff presentation and conducted public hearing.

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

- a) Received and filed;**
- b) No action taken; and**
- c) Approved.**

The motion carried by the following vote:

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

2) DISTRICT ATTORNEY[21-00166](#)

HEARING - Consider recommendations regarding Extra-Help Services and Retirement Waiver for the District Attorney's Office, as follows: (EST. TIME: 5 MIN.)

a) In accordance with California Government Code Section 7522.56(f)(1), certify that the appointment of retired County employee Julie Rotta, Restitution Specialist, is necessary to fill a critical need in the District Attorney's Office before 180 days have passed from her date of retirement;

b) Approve and authorize the District Attorney's office to appoint retired employee, Julie Rotta, as an Extra Help employee to provide training on a part time basis not to exceed 960 hours of annual service; and

c) Determine that the above actions are not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15378(b)(4) and 15378(b)(5) because they consist of government administrative or fiscal activities that will not result in direct or indirect physical changes in the environment.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:01 AM - 11:07 AM (6 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) Approved;

b) Approved and Authorized; and

c) Approved.

The motion carried by the following vote:

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

3) PUBLIC HEALTH[21-00126](#)

HEARING - Consider recommendations regarding an Ordinance amending Santa Barbara County Code Chapter 16 to authorize Microenterprise Home Kitchen Operations to be permitted countywide as a Food Facility, and a Resolution amending Food Facility Fees to include application plan review and annual permitting fees for Microenterprise Home Kitchen Operations, as follows: (EST. TIME: 30 MIN.)

a) Receive and file a presentation regarding an Ordinance authorizing Microenterprise Home Kitchen Operations and an Environmental Health Services Fee Resolution;

b) Approve the introduction (First Reading) of an Ordinance to amend Chapter 16, Article III, entitled "County Retail Food Code" in the Santa Barbara County Code;

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

d) Adopt a Resolution amending fees for Environmental Health Services relating to Food Facilities to incorporate new fees for Microenterprise Home Kitchen Operations;

e) Determine that the Resolution amending fees for Environmental Health Services relating to Food Facilities is exempt from California Environmental Quality Act (CEQA) review pursuant to CEQA Guideline Sections 15273 and Public Resources Code 21080, subdivision (b)(8)(A) because it is for the purpose of meeting public agency operating expenses and does not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment; and that the recommended actions are otherwise not a project subject to CEQA pursuant to Guidelines Sections 15378(b)(4) and 15378(b)(5), because they are administrative activities of a local government and government fiscal activities which do not involve any commitment to a specific project which may result in a potentially significant physical impact on the environment, and direct staff to include these findings in a Notice of Exemption to be filed after the Board's actions at the hearing continued in accordance with Recommended Action f) below; and

f) Continue the hearing to the Administrative Agenda for March 9, 2021 to consider recommendations, as follows:

i) Consider and approve the adoption (Second Reading) of an Ordinance to amend Chapter 16, Article III, entitled "County Retail Food Code" in the Santa Barbara County Code; and

ii) Find that the Ordinance is exempt from CEQA review per CEQA Guideline Section 151061(b) (3), since it can be seen with certainty that there is no possibility that the activity may have a significant impact on the environment, and direct staff to file a Notice of Exemption.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 11:19 AM - 11:36 AM (17 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) Introduction approved;**
- c) Read title, waived further reading of the Ordinance;**
- d) Adopted;**

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- e) Approved; and**
- f) i) and ii) Set for March 9, 2021 on the Administrative Agenda.**

The motion carried by the following vote:

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

4) PLANNING AND DEVELOPMENT

21-00168

HEARING - Consider recommendations regarding the Pulice Appeal of the Ellwood Quarry Revised Conditional Use Permit and Reclamation Plan, Case Nos. 19APL-00000-00026, 18RVP-00000-00016, and 17RVP-00000-00082, Third District, as follows: (EST. TIME: 1HR.)

- a) Deny the appeal, Case No. 19APL-00000-00026;
- b) Make the required findings for approval of the project, including California Environmental Quality Act (CEQA) findings;
- c) After considering the environmental review documents (Addendum dated March 2, 2021 together with the previously adopted Environmental Impact Report 87-EIR-3), determine that as reflected in the CEQA findings, no subsequent Environmental Impact Report shall be prepared for this project; and
- d) Grant de novo approval of Case Nos. 17RVP-00000-00082 and 18RVP-00000-00016 subject to the conditions.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

A motion was made by Supervisor Hartmann, seconded by Supervisor Williams, that this matter be continued, as follows: March 9, 2021 on the Departmental Agenda.

The motion carried by the following vote:

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

5) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT 21-00156

HEARING - Consider recommendations regarding a State Water Project (SWP) Contract Amendments, as follows: (EST. TIME: 20 MIN.)

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

a) Consider the request of the Central Coast Water Authority (CCWA) to approve Amendment 20 (Contact Extension Amendment) to the 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 CCWA's acknowledgement by an action of its Board that the Transfer of Financial Responsibility Agreement (TFRA) remains in full force;

ii) Approve and authorize the Public Works Director or designee to sign the Agreement Confirming the Term of the TFRA; 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);

i) Reject Amendment 21 at this time because CCWA has not addressed the concerns out of District transfers and the impacts on water supply for sales of water out of the County; and

ii) Direct staff to continue to work with CCWA staff and return to your Board at a future date if mutually agreeable terms can be reached related to Amendment 21; and

c) 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: 1:54 PM - 2:56 PM (1 HR. 2 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:

a) i) through iii) Approved Amendment 20 as revised in the staff memorandum dated March 2, 2021 which pertains to recommendation (a-i);

b) i) through ii) Directed staff to return to the Board with Amendment 21 when appropriate; and

c) Approved.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Nelson

6) HUMAN RESOURCES[21-00171](#)

HEARING - Consider recommendations regarding an Ordinance amending Chapter 27, Personnel, Articles I and II and a Resolution establishing County Office Hours, as follows: (4/5 Vote Required) (EST. TIME: 30 MIN.)

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.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 2:56 PM - 3:15 PM (19 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) through c) Introduction approved; Read title, waived further reading of the Ordinance; Set for March 9, 2021 on the Administrative Agenda to consider the adoption (Second Reading) of the Ordinance; and

d) Approved.

The motion carried by the following vote:

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

7) COUNTY EXECUTIVE OFFICE

[21-00158](#)

HEARING - Receive and file the Fiscal Year 2020-2021 Second Quarter Budget and Financial Status Report as of December 31, 2020, showing the status of appropriations and financing for departmental budgets adopted by the Board of Supervisors. (EST. TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 11:38 AM - 12:00 PM (22 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 received and filed.

The motion carried by the following vote:

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

**The Santa Barbara County Board of Supervisors Adjourned the Meeting of March 2, 2021
in Honor of Former Congressman Robert J. Lagomarsino**

Adjourned at 3:15 PM

Adjourned to

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

<http://www.countyofsb.org>