

County of Santa Barbara
BOARD OF SUPERVISORS



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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, November 2, 2021

9:00 AM

COUNTY ADMINISTRATION BUILDING
BOARD HEARING ROOM, FOURTH FLOOR
105 E. ANAPAMU STREET, SANTA BARBARA

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 October 19, 2021 Meeting

A motion was made by Supervisor Hartmann, seconded by Supervisor Hart, 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

County Executive Officer's Report: Receive a report from the County Executive Officer (CEO) on County programs, County staff updates and achievements, staff recognitions, updates on major projects, updates on state and federal legislation, and upcoming events of interest to the Board and the public. There will be no Board discussion except to ask questions or refer matters to staff; and no action will be taken unless listed on a subsequent agenda.

County Executive Officer, Mona Miyasato, reported the following:

The County Office of Emergency Management is seeking public feedback for the Santa Barbara County multi-jurisdictional 2022 Hazard Mitigation Plan. For more information, please visit: ReadySBC.org under "Hazard Preparedness";

First 5 of Santa Barbara County is offering grants to community-based organizations including nonprofits and schools that serve children birth through five, their families and those who care for them. Applications are due between November 22, 2021 and December 3, 2021. For more information, please visit: first5santabarbaracounty.org;

The public is invited to learn about the County's legislative principles, issues, project and programs that warrant targeted advocacy, state and federal funding requests, and legislation. To preview past legislative priorities and comment on the Draft 2022 Legislative Platform or for more information, please visit the CEO webpage at: www.countyofsb.org and open "Programs";

The County Citizens Independent Redistricting Commission is holding a series of public hearings this month and next before the final Supervisorial district map must be finalized by mid-December. For Agendas, mapping tools, and a list of upcoming meetings, please visit: www.drawsantabarbaracounty.org; and

Santa Barbara County has begun receiving electric service from Central Coast Community Energy, also known as "3CE". To help understand residential and commercial account billing from PG&E in North County and SoCal Edison in South County, please visit: 3CEnergy.org

12:00 P.M. Recessed to Closed Session

Closed Session

21-00988

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

Blanco v. County of Santa Barbara; California Court of Appeal, Second Appellate Division, No. B308340; Santa Barbara County Superior Court Case No. 17CV04565

Koehler v. County of Santa Barbara and Goleta Water District; Santa Barbara County Superior Court Case No. 20CV03660

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

Director of Behavioral Wellness Department

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) COUNTY COUNSEL [21-00965](#)

Consider recommendations regarding Amendment No. 1 to the 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 Amendment No. 1 to the revenue Agreement to provide Legal Services between the County of Santa Barbara and BEACON, for the past fiscal year term of July 1, 2020 through June 30, 2021, increasing revenue by \$5,360.00 for a total revenue of \$17,360.00; 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 and fiscal activities that will not result in direct or indirect physical changes in the environment.

A motion was made by Supervisor Hart, 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 Nelson, and Supervisor Lavagnino

A-2) COUNTY EXECUTIVE OFFICE

21-00971

Consider recommendations regarding Rural County Representatives of California (RCRC) Membership, as follows: (4/5 Vote Required)

- a) Receive and file information regarding the RCRC;
- b) Adopt a Resolution authorizing Santa Barbara County’s membership in the RCRC;
- c) Appoint Chair Nelson from the Board of Supervisors to serve as the Santa Barbara County Delegate Supervisor to the RCRC Board of Directors as well as appoint Supervisor Lavagnino to serve as an alternate Delegate;
- d) Authorize the payment of \$7,500.00 for prorated RCRC 2021-2022 membership dues; and
- e) Determine pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5) that the above actions are not a project because they consist of 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 Hart, seconded by Supervisor Hartmann, that this matter be acted on as follows:

- a) Received and filed;
- b) Adopted;

RESOLUTION NO. 21-199

- c) Appointed;
- d) Authorized; and
- e) Approved.

The motion carried by the following vote:

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

A-3) COUNTY EXECUTIVE OFFICE

21-00980

Approve Budget Revision Request Nos. 0007885, 0007954, 0007976, and 0007978. (4/5 Vote Required)

A motion was made by Supervisor Hart, 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 Nelson, and Supervisor Lavagnino

A-4) COUNTY EXECUTIVE OFFICE [21-00986](#)

Consider the adoption of the 2022 Board of Supervisors’ schedule of meeting dates and locations.

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

A-5) COUNTY EXECUTIVE OFFICE [21-00987](#)

Consider recommendations regarding an update on the Coronavirus Disease 2019 (COVID-19), as follows:

- 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.

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

- a) Received and filed;**
- b) Directed staff to return to the Board on the Departmental Agenda for the 11/9/2021 meeting with a focus on different criteria for removing the mask mandate; and**
- c) 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, COMMUNITY SERVICES21-00972

Consider recommendations regarding an option to purchase and proceed with the acquisition of the property located at 6549 El Colegio Road for Housing Navigation Services and the operation of an emergency shelter (Folio No. 003993), as follows:

a) Approve and authorize the Chair, or designee, to exercise the County's option to purchase real property located at 6549 El Colegio Rd, Goleta CA 93117 (Assessor Parcel Number 075-034-005) (the "Property") from El Colegio 6549, LLC ("Owner") for a purchase price of \$6,300,000.00, in accordance with the terms of the option agreement approved by the Board of Supervisors on June 15, 2021, which included a condition that the County close on or before December 30, 2021;

b) Approve and authorize the Chair to execute the Purchase Agreement and Escrow Instructions (the "Agreement") between the County of Santa Barbara as buyer, and owner as seller, to purchase the property;

c) Authorize the Director of General Services, or designee, subject to concurrence from County Counsel, to execute any and all escrow documents necessary to facilitate the terms and conditions of the proposed acquisition of the Property as set forth in the Agreement;

d) Authorize the Director of General Services, or designee, subject to concurrence from County Counsel, to complete investigation of and due diligence for the Property and either approve the condition of the Property or elect to terminate the Agreement as provided in Section 1 of the Agreement;

e) Approve and authorize the Director of General Services, or designee, to expend funds in a total amount not to exceed the purchase price \$6,300,000.00, plus title and escrow fees, including staff costs, processing fees and any other costs required to facilitate the transaction pursuant to the Agreement;

f) Approve and authorize the Clerk of the Board, upon satisfaction of the terms and conditions of the Agreement as determined by the Director of General Services, or designee, with concurrence from County Counsel, to execute a Certificate of Acceptance completing the purchase and accepting title to the Property; and

g) Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) per: CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment; CEQA Guidelines Section 15269(c), finding that the actions consist of specific actions necessary to prevent or mitigate an emergency; and pursuant to CEQA Guidelines Section 15301, finding that the actions consist of the operation, repair, maintenance, permitting and minor alteration of existing public or private structures or facilities involving negligible or no expansion of existing or former use and direct staff to file a Notice of Exemption on that basis.

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

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

The motion carried by the following vote:

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

A-7) HUMAN RESOURCES

21-00974

Consider recommendations regarding a Memorandum of Understanding with the Civil Attorneys Association (CAA), as follows:

- a) Approve a Memorandum of Understanding with the CAA for terms and conditions of employment through June 23, 2024;
- b) Provide equivalent salary adjustments, dependent health contributions, holiday provisions, and vacation accrual provisions for similarly situated unrepresented attorneys in unit 36 as is provided to attorneys represented by the CAA; and
- c) Determine pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) that the above action is a 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 therefore is not a project subject to environmental review.

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

a) through c) Approved.

The motion carried by the following vote:

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

A-8) HUMAN RESOURCES

21-00973

Consider recommendations regarding a Memorandum of Understanding with the Deputy District Attorneys Association (DDAA), as follows:

- a) Approve a Memorandum of Understanding with the DDAA for terms and conditions of employment through June 23, 2024; and
- b) Determine pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(4) that the above action is a 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 therefore is not a project subject to environmental review.

A motion was made by Supervisor Hart, 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 Nelson, and Supervisor Lavagnino

A-9) PLANNING AND DEVELOPMENT

21-00979

Consider recommendations regarding Pacific Oak Ranch Agricultural Preserve Replacement Contract, Santa Ynez area, Third District, as follows:

- a) Adopt a Resolution creating Agricultural Preserve No. 21AGP-00000-00002 consisting of 192.5 acres east of the intersection of Highway 246 and Highway 154, southeast of the intersection of Happy Canyon Road and Alisos Road, in the Santa Ynez area (APN 141-250-037);
- b) Approve and authorize the Chair to execute Agricultural Preserve Replacement Contract No. 21AGP-00000-00002;
- c) Authorize recordation by the Clerk of the Board; and
- d) Find that the proposed action is an administrative activity of the County that 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 State CEQA Guidelines Section 15378(b)(5).

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

- a) Adopted;**
- RESOLUTION NO. 21-200**
- b) Approved and authorized; Chair to execute;**
- c) 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-10) PUBLIC HEALTH

21-00981

Consider recommendations regarding a request for Consent to Assignment by Pacific Interpreters to LanguageLine Solutions and conversion of Purchase Order No. CN23946 to a Board Contract with LanguageLine Solutions, as follows:

a) Approve, ratify, and authorize the Chair to execute a Joint Request for Consent to Assignment by Pacific Interpreters and LanguageLine Solutions, which would assign Purchase Order CN23946 between the County and Pacific Interpreters to LanguageLine Solutions, including all rights and obligations contained therein;

b) After approval of Recommended Action a), approve, ratify, and authorize the Chair to execute an Agreement for Services of Independent Contractor with LanguageLine Solutions to continue providing telephonic interpreter services for the Public Health Department for the period of July 1, 2020 through June 30, 2023. This Agreement converts Purchase Order CN23946 to a Board Contract, extends the term for an additional two years, and increases funding by \$550,000.00 for a revised total amount not to exceed \$750,000.00, inclusive of \$200,000.00 under Purchase Contract CN23946, but which otherwise cancels, nullifies, and supersedes Purchase Contract CN23946; and

c) Determine that the proposed actions do not constitute a “Project” within the meaning of the California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(4) of the CEQA Guidelines, because the actions consist of the creation of a government funding mechanism or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

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

a) Approved, ratified 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 Nelson, and Supervisor Lavagnino

A-11) PUBLIC HEALTH[21-00982](#)

Consider recommendations regarding a request to ratify the execution of an Emergency Memorandum of Agreement for Mutual Aid with the 37th District Agricultural Association for Santa Maria Fairpark for COVID-19 Testing, as follows:

- a) Approve and ratify an Emergency Memorandum of Agreement for Mutual Aid between the County of Santa Barbara and the 37th District Agricultural Association for the use of the Santa Maria Fairpark located in Northern Santa Barbara County for use on a weekly basis to assist with emergency management services in connection with the COVID-19 Incident, including but not limited to testing and vaccinations during May 4, 2020 through June 27, 2020 for an amount not to exceed \$105,000.00;
- b) Approve and ratify an Emergency Memorandum of Agreement for Mutual Aid between the County of Santa Barbara and the 37th District Agricultural Association for the use of the Santa Maria Fairpark located in Northern Santa Barbara County for use on a weekly bases to assist with emergency management services in connection with the COVID-19 Incident, including but not limited to testing and vaccinations during July 8, 2020 through September 1, 2020 for an amount not to exceed \$50,000.00;
- c) Approve and ratify an Emergency Memorandum of Agreement for Mutual Aid between the County of Santa Barbara and the 37th District Agricultural Association for the use of the Santa Maria Fairpark located in Northern Santa Barbara County for use on a weekly bases to assist with emergency management services in connection with the COVID-19 Incident, including but not limited to testing and vaccinations during September 1, 2020 through September 30, 2020 for an amount not to exceed \$25,000.00;
- d) Approve and ratify an Emergency Memorandum of Agreement for Mutual Aid between the County of Santa Barbara and the 37th District Agricultural Association for the use of the Santa Maria Fairpark located in Northern Santa Barbara County for use on a weekly bases to assist with emergency management services in connection with the COVID-19 Incident, including but not limited to testing and vaccinations during October 1, 2020 through May 1, 2021 for an amount not to exceed \$230,000.00;
- e) Approve and ratify an Emergency Memorandum of Agreement for Mutual Aid between the County of Santa Barbara and the 37th District Agricultural Association for the use of the Santa Maria Fairpark located in Northern Santa Barbara County for use on a weekly bases to assist with emergency management services in connection with the COVID-19 Incident, including but not limited to testing and vaccinations during May 1, 2021 through October 1, 2021 in an amount not to exceed \$160,000.00;

f) Approve and ratify a First Amendment to the Emergency Memorandum of Agreement for Mutual Aid, which began May 4, 2020, between the County of Santa Barbara and the 37th District Agricultural Association for the use of the Santa Maria Fairpark located in Northern Santa Barbara County for use on a weekly bases to assist with emergency management services in connection with the COVID-19 Incident, including but not limited to testing and vaccinations, that includes the period of June 28, 2020 through July 7, 2020 in an amount not to exceed \$7,000.00;

g) Approve and ratify a Second Amendment to the Emergency Memorandum of Agreement for Mutual Aid, which began May 4, 2020, between the County of Santa Barbara and the 37th District Agricultural Association for the use of the Santa Maria Fairpark located in Northern Santa Barbara County for use on a weekly bases to assist with emergency management services in connection with the COVID-19 Incident, including but not limited to testing and vaccinations during the period of October 1, 2021 through December 31, 2021 in an amount not to exceed \$105,000.00; and

h) Determine that the recommended actions are not the acceptance and approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), finding that the project is a creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; and that the actions are exempt from CEQA pursuant to Guidelines Section 15269(c) as they consist of specific actions necessary to prevent or mitigate an emergency.

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

a) through g) Approved and ratified; and

h) Approved.

The motion carried by the following vote:

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

A-12) PUBLIC WORKS[21-00978](#)

Consider recommendations regarding Southern California Energy and the California Independent System Operator Corporation (CAISO) Agreements and Sixth Amendment to the Amended Contract with MSB Investors, LLC for the Tajiguas Resource Recovery Project (TRRP), Third District, as follows: (4/5 Vote Required)

a) Authorize the County of Santa Barbara Department of Public Works Director, or his designee, until otherwise ordered by the Board, to execute an amended Bioenergy Market Adjusting Tariff Power Purchase Agreement (PPA) for the sale of renewable electricity at the Tajiguas ReSource Center Anaerobic Digestion Facility to Southern California Edison (SCE) and any future amendments or ancillary documents necessary for the PPA that do not substantially change the County's rights and obligations under it, with approval of County Counsel, Auditor Controller and Risk Manager or their authorized representatives;

b) Approve, ratify, and authorize the County of Santa Barbara Department of Public Works Director, or his designee to execute a Network Connectivity Security Requirements and Agreement, Meter Service Agreement, and Participating Generator Agreement, which are necessary to manage the transfer and transmission of electricity produced at the Tajiguas ReSource Center Anaerobic Digestion Facility with CAISO, and authorize the County of Santa Barbara Department of Public Works Director, or his designee, until otherwise ordered by the Board, to execute any future amendments or ancillary agreements with CAISO related to the transfer and transmission of that electricity that do not substantially change the County's rights and obligations under the CAISO Agreements, with approval of County Counsel, Auditor Controller and Risk Manager or their authorized representatives;

c) Approve and authorize the Chair to execute the Sixth Amendment to the Amended Contract between the County of Santa Barbara and MSB Investors, LLC for Development and Operation of the TRRP, which addresses changes to public education, term of contract, construction and operational costs, and acceptance of spot market material for the TRRP (now referred to as the ReSource Center);

d) Approve Budget Revision Request No. 0007944 increasing appropriations in the amount of \$1,870,000.00 in Public Works Resource Recovery and Waste Management Enterprise Fund and the TRRP Capital Fund for the increased project costs, which are funded by the release of Retained Earnings and an operating transfer, respectively; and

e) Determine that the previous Final Subsequent Environmental Impact Report (EIR) SCH No. 2012041068 and Subsequent EIR Revision Letter and Errata dated May 27, 2016 certified by the Board of Supervisors on July 12, 2016 and Final Subsequent EIR Addendum dated August 11, 2017 (revised October 26, 2017) considered by the Board of Supervisors on November 14, 2017 are adequate review pursuant to California Environmental Quality Act Guidelines Section 15162 as no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore this sixth amendment to the contract with MSB Investors, LLC is within the scope of the project covered by the prior environmental review and no subsequent EIR or Negative Declaration shall be prepared for this action.

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

- a) Authorized;**
- b) Approved, ratified and authorized;**
- 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-13) PUBLIC WORKS

[21-00966](#)

Consider recommendations regarding the Fiscal Year 2021-2022 Road Maintenance Annual Plan Addendum A, as follows:

- a) Approve Fiscal Year 2021-2022 Road Maintenance Annual Plan Addendum A;
- b) Approve revised Fiscal Year 2021-2022 Road Maintenance Annual Plan projects and Authorize the Director of Public Works to advertise for construction; and
- c) Find Addendum A to the Road Maintenance Annual Plan for Fiscal Year 2021-2022 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 Hart, seconded by Supervisor Hartmann, that this matter be acted on as follows:

a) through c) Approved.

The motion carried by the following vote:

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

A-14) PUBLIC WORKS

21-00975

Consider recommendations regarding the Release of the Monument Deposit for Final Map of Tract No. 14,760, Noel Housing-Cavaletto-Tree Farm, Second District, as follows:

a) Authorize and direct the Clerk of the Board to release the monument deposit set in the amount of \$25,000.00 paid by bond number 929608928, that was posted to guarantee the payment of the cost of setting of the interior monuments for Final Map Tract No. 14,760, pursuant to Government Code Section 66496 of the State Subdivision Map Act; and

b) 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 recommended actions because there are no substantial changes proposed, no substantial changes in circumstances, and no new information of substantial importance regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore the recommended actions are within the scope of the Environmental Impact Report [11EIR-00000-00002] and Mitigation Monitoring Program for the Noel Housing-Cavaletto-Tree Farm, which was certified by the Board of Supervisors on June 26, 2012, and no new environmental document is required.

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

a) Authorized and directed; and

b) Approved.

The motion carried by the following vote:

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

A-15) PUBLIC WORKS, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [21-00967](#)

Consider recommendations regarding Buena Vista Creek Debris Basin Project design services, First District, as follows: (4/5 Vote Required)

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

- a) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor with HDR Inc. (not a local vendor) for professional design services in the amount of \$315,619.00 for the period of November 2, 2021 through December 31, 2023 to provide geotechnical, hydrologic, hydraulic and engineering design services for the Buena Vista Creek Debris Basin Project;
- b) Approve and authorize the Public Works Director, or designee, to approve Agreement amendments within the scope of work in the amount of \$31,561.90 for total Agreement amount of not-to-exceed \$347,180.90 and to approve Immaterial Changes as provided in the Agreement;
- c) Approve the Budget Revision Request No. 007975 to increase Capital Asset Appropriations in Public Works South Coast Flood Zone in the amount of \$150,000.00 for the Buena Vista Creek Debris Basin Project funded by the release of Restricted Purpose of Fund, fund balance; 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.

A motion was made by Supervisor Hart, 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 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 Nelson, and Supervisor Lavagnino

A-16) PUBLIC WORKS, BOARD OF DIRECTORS, WATER AGENCY

21-00970

Consider recommendations regarding authorization to implement a Groundwater Well Metering Assistance Program, First, Third, Fourth, and Fifth Districts, as follows:

Acting as the Board of Directors, Water Agency:

- a) Approve and authorize the Santa Barbara County Water Agency to proceed with the development and implementation of a Well Metering Assistance Program to financially assist qualifying landowners with the purchase and installation of totalizer water well meters within groundwater basins subject to California’s Sustainable Groundwater Management Act compliance; and
- b) Determine that the above action involves an administrative activity which will not result in direct or indirect physical changes in the environment and is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(b)(5).

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

Acting as the Board of Directors, Water Agency:

- a) Approve and authorized; and**
- b) Approved.**

The motion carried by the following vote:

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

A-17) PUBLIC WORKS, BOARD OF DIRECTORS, LAGUNA COUNTY
SANITATION DISTRICT, BOARD OF DIRECTORS, FLOOD
CONTROL AND WATER CONSERVATION DISTRICT, BOARD OF
DIRECTORS, WATER AGENCY

[21-00977](#)

Consider recommendations regarding authorization of the Public Works Director to preside over Subcontractor Substitution Hearings, as follows:

Acting as the Board of Supervisors:

- a) Adopt a Resolution that duly authorizes the Public Works Director, or Director's designee, to consent to requests to substitute subcontractors and, when a written objection is filed by the listed subcontractor, to preside over hearings to consider the substitution of subcontractors pursuant to California Public Contract Code Section 4107;
- b) Find that the proposed action does not constitute a "Project" within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5), in that it is a government administrative activity that will not result in direct or indirect changes in the environment; and

Acting as the Board of Directors, Laguna County Sanitation District:

- c) Adopt a Resolution that duly authorizes the Public Works Director, or Director's designee, to consent to requests to substitute subcontractors and, when a written objection is filed by the listed subcontractor, to preside over hearings to consider the substitution of subcontractors pursuant to California Public Contract Code Section 4107;
- d) Find that the proposed action does not constitute a "Project" within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5), in that it is a government administrative activity that will not result in direct or indirect changes in the environment; and

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

- e) Adopt a Resolution that duly authorizes the Public Works Director, or Director's designee, to consent to requests to substitute subcontractors and, when a written objection is filed by the listed subcontractor, to preside over hearings to consider the substitution of subcontractors pursuant to California Public Contract Code Section 4107;
- f) Find that the proposed action does not constitute a "Project" within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5), in that it is a government administrative activity that will not result in direct or indirect changes in the environment; and

Acting as the Board of Directors, Water Agency:

g) Adopt a Resolution that duly authorizes the Public Works Director, or Director’s designee, to consent to requests to substitute subcontractors and, when a written objection is filed by the listed subcontractor, to preside over hearings to consider the substitution of subcontractors pursuant to California Public Contract Code Section 4107; and

h) Find that the proposed action does not constitute a “Project” within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5), in that it is a government administrative activity that will not result in direct or indirect changes in the environment.

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

Acting as the Board of Supervisors:

a) Adopted;

RESOLUTION NO. 21-201

b) Approved;

Acting as the Board of Directors, Laguna County Sanitation District:

c) Adopted;

RESOLUTION NO. 21-202

d) Approved.

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

e) Adopted;

RESOLUTION NO. 21-203

f) Approved;

Acting as the Board of Directors, Water Agency:

g) Adopted; and

RESOLUTION NO. 21-204

h) Approved.

The motion carried by the following vote:

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

A-18) PUBLIC WORKS21-00976

Consider recommendations regarding the release of a monument deposit for Final Map of Tract No. 14,768, Boulders - Park Hill Estates V.2, Second District, as follows:

a) Authorize and direct the Clerk of the Board to release the monument deposit set in the amount of \$17,420.00 paid by bond number SAIFSU0666150, that was posted to guarantee the payment of the cost of setting of the interior monuments for Final Map Tract No. 14,768, pursuant to Government Code Section 66496 of the State Subdivision Map Act; and

b) 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 recommended actions because there are no substantial changes proposed, no substantial changes in circumstances, and no new information of substantial importance regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore the recommended actions are within the scope of the Final Mitigated Negative Declaration for the "Park Hill Estates v.2" development [11NGD-00000-00013] as adopted by the Board of Supervisors on July 9, 2013, and no new environmental document is required.

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

a) Authorized and directed; and

b) Approved.

The motion carried by the following vote:

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

A-19) PUBLIC WORKS, COMMUNITY SERVICES

21-00968

Consider recommendations regarding an Authorizing Resolution and Master Standard Agreement (MSA) between Santa Barbara County and the State of California Housing and Community Development Department Community Development Block Grant Disaster Relief funds related to the 2017 Thomas Fire, First District, as follows:

- a) Adopt the Authorizing Resolution formalizing the acceptance of State Community Development Block Grant Disaster Relief funding for unmet infrastructure needs related to the 2017 Thomas Fire;
- b) Authorize the Public Works Director, or his designee, to execute an MSA with the State of California Housing and Community Development Department and to take additional related actions, as set forth in the Authorizing Resolution for funding in the amount estimated at \$5,378,130.00 under the Community Development Block Grant Disaster Recovery guidelines, subject to County Counsel approval as to form; and
- c) Determine that the other Recommended Actions are not the acceptance and approval of a project that is subject to environmental review under California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4), finding that actions consist of the creation of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

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

a) Adopted;

RESOLUTION NO. 21-205

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-20) SHERIFF[21-00964](#)

Consider recommendations regarding an Application for the Destruction of Personnel, Background, Overtime Slips and Failed Background Records, as follows: (4/5 Vote Required)

a) Approve an application for the Destruction of Records of Sheriff's Office Human Resources Division- Personnel, Background, Overtime Slips and Failed Backgrounds that are at least seven (7) years old and are no longer required by law to be retained; and

b) Determine that the above actions are organizational and administrative activities of government that are not a project under the California Environmental Act (CEQA) pursuant to Guidelines Section 15378(b) (5).

A motion was made by Supervisor Hart, 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 Nelson, and Supervisor Lavagnino

A-21) SOCIAL SERVICES[21-00969](#)

Consider recommendations regarding a Resolution for authorization to apply for and accept State funding for Transitional Housing Program - Round 3, as follows:

a) Adopt a Resolution regarding the State of California, Department of Housing and Community Development Transitional Housing Program funds including the application for and acceptance of the Transitional Housing Program Funds; and

b) Determine that the approval of the recommended action is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b) (5), since the recommended action is a government administrative activity which does not involve commitment to any specific project which may result in potentially significant physical impact on the environment.

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

a) Adopted; and

RESOLUTION NO. 21-206

b) Approved.

The motion carried by the following vote:

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

Administrative Item

A-22) COUNTY EXECUTIVE OFFICE [21-00989](#)

Consider recommendations regarding the appointment of the Director of Behavioral Wellness, as follows:

a) Approve the County Executive Officer's Appointment of Antonette (Toni) Navarro LMFT, to serve as the Director of Behavioral Wellness and Director of Local Behavioral Health Services beginning December 13, 2021;

b) Appoint Antonette (Toni) Navarro LMFT as the local director of mental health services pursuant to Welfare and Institutions Code Section 5607; and

c) Determine that the above actions are government 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 Lavagnino, that this matter be acted on as follows:

a) Approved;

b) Appointed; and

c) Approved.

The motion carried by the following vote:

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: Concerns with Reproductive Rights – Caroline Abate addressed the Board

Re: Highlighted the CALPIRG Students Group, UCSB’s Premier Student Public Interest Activism Group – Ori Liwanag addressed the Board

Re: Concerns with County COVID-19 Response & Public Access Rights – Maria Kaestner and Justin Shores addressed the Board

Re: Invitation to attend the Rally Against Vaccine Mandate at City Hall on November 3, 2021 – Dr. Aimee Smith addressed the Board

Departmental Agenda
Planning Items and Public Hearings

1) **PLANNING AND DEVELOPMENT** **21-00983**

HEARING - Consider recommendations regarding the Williams appeal of the County Planning Commission’s Denial of the Williams Accessory Dwelling Unit (ADU) Projects (Case Nos. 21APL-00000-00024, 21APL-00000-00025, and 21APL-00000-00026), Third District, as follows: (EST. TIME: 1 HR.)

- a) Deny the appeals, Case Numbers 21APL-00000-00024, 21APL-00000-00025, and 21APL-00000-00026;
- b) Make the required findings for denial of the Coastal Development Permits (Case Nos. 20CDP-00000-00060, -061, and -062);
- c) Determine that denial of the appeals and denial of the Coastal Development Permits is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15270(b) [Projects Which are Disapproved]; and
- d) Deny de novo the Coastal Development Permits, Case Nos. 20CDP-00000-00060, -061, and -062.

COUNTY EXECUTIVE OFFICER’S RECOMMENDATION: POLICY

HEARING TIME: 10:28 AM - 11:38 AM (1 HR. 10 MIN.)

Received and filed staff presentation and conducted public hearing.

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

Accepted into the record the following document: Revised PowerPoint Presentation from Appellant John Williams dated November 1, 2021. The motion carried by the following vote:

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

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

The Santa Barbara County Board of Supervisors acknowledged the Appellants withdrawal of the Williams appeal of the County Planning Commission's Denial of the Williams Accessory Dwelling Unit (ADU) Projects (Case Nos. 21APL-00000-00024, 21APL-00000-00025, and 21APL-00000-00026.

The motion carried by the following vote:

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

2) COUNTY EXECUTIVE OFFICE [21-00984](#)

HEARING - Consider recommendations regarding an Amendment to Chapter 50 of the County Code, Licensing of Commercial Cannabis Operations, as follows: (EST. TIME: 45 MIN.)

a) Consider the introduction (First Reading) of an Ordinance amending Chapter 50 of the Santa Barbara County Code, Licensing of Commercial Cannabis Operations in the unincorporated area of the County;

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

c) Set a hearing on the Administrative Agenda for November 9, 2021 to consider recommendations, as follows:

i) Consider the adoption (Second Reading) of an Ordinance amending Chapter 50 of the Santa Barbara County Code, Licensing of Commercial Cannabis Operations; and

ii) Determine for the purposes of the California Environmental Quality Act (CEQA) that:

1) Pursuant to CEQA Guidelines section 15168(c) 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

2) 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 due to the involvement of new significant environmental impacts or a substantial increase in the severity of previously identified significant effects; ii) no substantial changes have occurred with respect to the circumstances under which the ordinance is undertaken which require major revisions of the PEIR due to the involvement of new significant environmental impacts or a substantial increase in the severity of previously identified significant effects; 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 shows any of the following situations elements of CEQA Guidelines Section 15162(3) apply.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 11:39 AM - 2:10 PM AND 3:05 PM - 3:18 PM (2 HR. 44 MIN.)

Received and filed staff presentation and conducted public hearing.

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

a) Approved the introduction (First Reading) of an Ordinance amending Chapter 50 of the Santa Barbara County Code, Licensing of Commercial Cannabis Operations in the unincorporated area of the County as amended with proposed changes to the Ordinance as presented by staff at the November 2, 2021 meeting;

b) Read title, waived further reading of the Ordinance; and

c) i) and ii) Adoption (Second Reading) set for November 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

Adjourned at 3:20 PM

Adjourned to

Tuesday, November 9, 2021

Joseph Centeno Betteravia Government Administration Building

Board Hearing Room

511 East Lakeside Parkway

Santa Maria

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

<http://www.countyofsb.org>