

County Counsel



RECOMMENDED BUDGET & STAFFING SUMMARY & BUDGET PROGRAMS CHART

Operating	\$ 9,935,300
Capital	\$ 0
FTEs	41.0



County Counsel

MISSION STATEMENT

By statute, County Counsel is the legal adviser to the Board of Supervisors. We advance and defend the County's civil policies and actions by: looking ahead; advising and providing options; and litigating. We work closely with the Board of Supervisors and other County officers to maintain the civil legal integrity of the County of Santa Barbara.

DEPARTMENT DESCRIPTION

We defend or prosecute all civil litigation in which the County, or its officers or employees in their official capacities, are parties. This regularly includes: federal civil rights and state tort cases; child protection "dependency" actions; property tax assessment appeals; land use actions; statutory financial cases, by or against the Auditor-Controller or Treasurer; defense against State audits; mental health commitments and conservatorships; cases involving contracts; employment cases; and motions and writs for the Sheriff's Office.

We provide civil legal advice and services to: the Board of Supervisors, other County officers, Departments, Boards, Commissions, Committees and Special Districts. This legal advice involves many subjects, including: land use, public works, real property, contracts, public safety, financial, elections, social services, housing, healthcare and personnel.

All of this advances the County's public service objectives, while helping to protect the County from loss and risk.

HIGHLIGHTS OF 2020-21 OBJECTIVES

- Litigate: 1) Defense against Southern California Edison's Cross-Complaint from the Thomas Fire and 1/9 Debris Flow; 2) class action lawsuit about the Main Jail's "conditions of confinement;" 3) \$1.0 billion plus of property tax assessment appeals; 4) \$1.75 million of costs disallowed by State Medi-Cal audits; 5) 31 other civil rights, tort, employment, property rights, and "land use" cases, with 9 already set for trial; 6) construction claims and litigation from the Northern Branch Jail Project; 7) HVI Cat Canyon bankruptcy litigation; 8) against opioid manufacturers and distributors of prescription opioids to recover County's damages from addressing opioid misuse in the County's population; and 9) weekly court calendars of conservatorships and child protection cases.
- Legal support, concurrently, to major programs: 1) COVID-19 response and recovery; 2) long-term Thomas Fire disaster recovery; 3) cannabis ordinance amendments, permitting and enforcement; 4) contract amendment for the State Water Supply Agreement; 5) renewal of the separate Water Service Contract -- the "Cachuma Project" -- which otherwise expires in 2020; 6) emergency ambulance Request for Proposals; and 7) "Public Safety Power Shutoff" regulatory improvements through California Public Utilities Commission.
- Legal support, concurrently, to more than \$328 million of capital projects including: 1) Northern Branch Jail; 2) ReSource Center (Revised Tajiguas Resource Recovery Project); 3) Main Jail improvements; and 4) Laguna County Sanitation District Plant Upgrade project.

County Counsel

HIGHLIGHTED RENEW 2022 INITIATIVES

Already Underway

Proposal in Progress. Delegation of limited litigation filing and settlement authority to County Counsel for affirmative claims, not to exceed \$25,000. This is the follow-on to the delegation of \$50,000 of limited litigation settlement authority to County Counsel for defensive claims that the Board of Supervisors approved in April of 2019. Compared to taking every litigation case to Closed Session this limited delegation for affirmative claims could:

- Make the County more agile in filing and resolving time-sensitive claims at the early stages of relatively minor cases; and
- Save time by not using Closed Session presentations to obtain authority each time to file and resolve these cases.

County Counsel

RENEW 2022 BIG PICTURE GOALS

County Counsel will implement the following initiatives in FY 2020-21 to achieve the 6 countywide Big Picture Goals:

Big Picture Goal

FY 2020-21 Initiatives

RE-DESIGN

- Identify and enroll appropriate employees in County-provided process improvement training.

RE-BALANCE

Enhance financial resiliency

- Worked with CEO's office to develop steadier funding model for Office of County Counsel's budget for future years. Completed except for the Property Tax Administration Fee component, which is in progress.
- Consolidate IT services with County Executive Officer, General Services, Human Resources, and First 5 for a cost savings to County Counsel of approximately \$74,000 per year. Completed.
- Increase County Counsel revenues by approximately \$30,000, per year, by recommending updated cost recovery fees for County Counsel legal services on planning and zoning permit applications. This would not become effective without a fee study and Board approval. In progress.

RESPOND

Conduct an internal customer service survey

- Conduct Internal Customer Survey, estimated June 2020.

RETAIN

Facilitate the participation of managers in a leadership development program

- 97% per year retention average over the past 3 years, excluding retirements.
- Succession planning in place.
- Management Training for all managers through Employee University and other training opportunities.

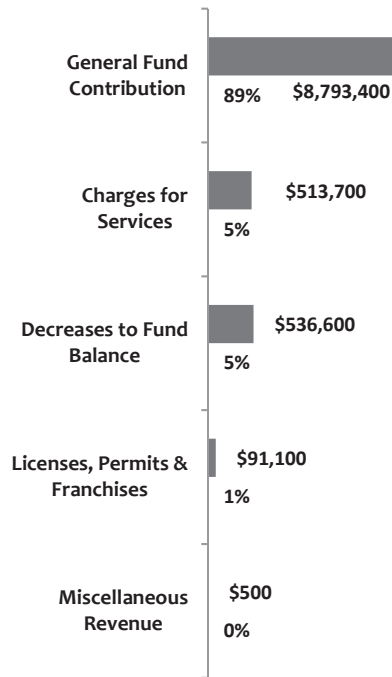
Retain new employees during their first 5 years of employment

- 6th year of "Stay Interviews" and responding to feedback.
- Weekly updates to staff and actively encouraging collaboration.
- Strengthened internal training program.

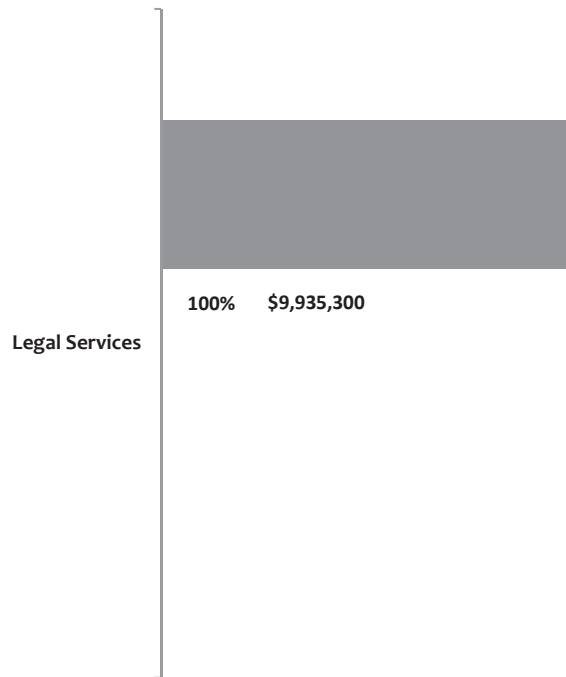
County Counsel

RECOMMENDED SOURCES & USES OF FUNDS

Source of Funds - \$9,935,300

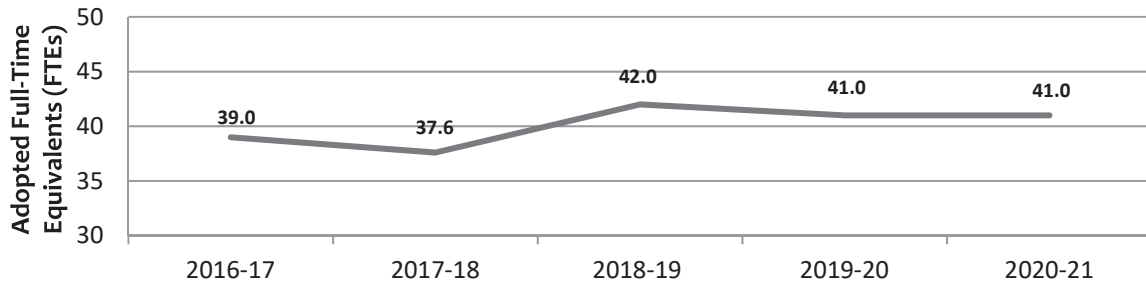


Use of Funds - \$9,935,300



STAFFING TREND

FTE counts include regular staff only, and do not include extra help and contractors-on-payroll.



County Counsel

BUDGET OVERVIEW

<u>Staffing Detail By Budget Program</u>	2018-19 Actual	2019-20 Adopted	2019-20 Estimated Actual	2020-21 Recommended	Change From FY19-20 Ado to FY20-21 Rec
Legal Services	39.70	41.00	41.00	41.00	-
Total	39.70	41.00	41.00	41.00	-
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<u>Budget By Budget Program</u>					
Legal Services	\$ 8,718,592	\$ 9,532,900	\$ 9,383,000	\$ 9,935,300	\$ 402,400
Total	\$ 8,718,592	\$ 9,532,900	\$ 9,383,000	\$ 9,935,300	\$ 402,400
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<u>Budget By Categories of Expenditures</u>					
Salaries and Employee Benefits	\$ 8,112,773	\$ 8,673,500	\$ 8,523,600	\$ 8,872,700	\$ 199,200
Services and Supplies	402,635	638,800	636,345	725,600	86,800
Other Charges	203,184	220,600	223,055	337,000	116,400
Total Operating Expenditures	8,718,592	9,532,900	9,383,000	9,935,300	402,400
Capital Assets	-	50,000	50,000	-	(50,000)
Increases to Fund Balances	63,000	-	-	-	-
Total	\$ 8,781,592	\$ 9,582,900	\$ 9,433,000	\$ 9,935,300	\$ 352,400
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<u>Budget By Categories of Revenues</u>					
Licenses, Permits and Franchises	\$ 48,906	\$ 107,400	\$ 20,200	\$ 91,100	\$ (16,300)
Charges for Services	4,633,249	4,892,800	4,665,700	513,700	(4,379,100)
Miscellaneous Revenue	23,013	500	500	500	-
Total Operating Revenues	4,705,168	5,000,700	4,686,400	605,300	(4,395,400)
Decreases to Fund Balances	262,224	631,400	631,400	536,600	(94,800)
General Fund Contribution	3,814,200	3,950,800	3,950,800	8,793,400	4,842,600
Fund Balance Impact (-)	-	-	164,400	-	-
Total	\$ 8,781,592	\$ 9,582,900	\$ 9,433,000	\$ 9,935,300	\$ 352,400

FTE counts include regular staff only, and do not include extra help and contractors-on-payroll.

County Counsel

CHANGES & OPERATIONAL IMPACT: 2019-20 ADOPTED TO 2020-21 RECOMMENDED

Staffing

- For FY 20/21, there will be no changes to the total number of FTE's at 41.0. However staffing will change as follows:
 - As part of our Renew '22 Resiliency Initiative, we will cost-share with 5 other departments to consolidate the Information Technology (IT) staff. This change reduces County Counsel's FTEs by one.
 - Due to the increased workload in Child Welfare Services (CWS) County Counsel is adding an additional staff attorney dedicated to dependency cases. This increases our FTEs by one, resulting in a net zero change in total FTEs.

Expenditures

- Net operating expenditure increase of +\$402,400 due to:
 - +199,200 increase in Salaries and Employee Benefits due primarily to retirement costs, health insurance costs and employee salaries. An additional slight increase was driven by the net cost increase between adding an attorney in CWS and moving our IT staff member to a shared service center.
 - +\$86,800 in Services and Supplies primarily driven by a one-time increase in funding for Outside Counsel costs to support Northern Branch Jail litigation.
 - +\$116,400 in Other Charges primarily driven by the increase in Information Technology Service costs which are the result of moving to the shared service center.

These changes result in Recommended operating expenditures of \$9,935,300 and non-operating expenditures of \$0.

Revenues

- Net operating revenue decrease of -\$4,395,400 due to:
 - -\$16,300 decrease in Licenses, Permits and Franchises reflects County Counsel's slightly increased relative time on Cannabis Enforcement versus Cannabis Permitting: 60%/40%, in FY 20-21, compared to 50%/50% in FY 19-20.
 - -\$4,379,100 decrease in Charges for Legal Services as County Counsel moves towards a steadier funding stream through General Fund Contribution.
- Net non-operating revenue increase of +\$4,747,800 primarily due to:
 - -\$94,800 decrease in Decreases to Committed fund balances, after the end of one-time funding provided to the department for Disaster support for the Thomas Fire and resulting Debris Flow.
 - +\$4,842,600 increase in Ongoing General Fund as a result of the department moving towards a steadier funding stream with General Fund Contribution.

These changes result in Recommended operating revenues for FY 2020-21 of \$605,300 and non-operating revenues of \$9,330,000, resulting in total revenues of \$9,935,300. Non-operating revenues primarily include General Fund Contribution and Decreases to Committed fund balances.

RELATED LINKS

For more information on the County Counsel's Office, refer to the Web site at <http://countyofsb.org/counsel/>

County Counsel

PERFORMANCE MEASURES

Description	FY 2017-18 Actual	FY 2018-19 Actual	FY 2019-20 Estimated Actual	FY 20-21 Recommend
The percentage of litigated cases which resolve at 85% or less than the amount reserved by Risk: Target=85%.	76% 16/21	84% 21/25	88% 14/16	86% 18/21
The percentage of litigated cases resolved without payment to plaintiff: Target=60%.	67% 16/24	62% 18/29	56% 10/18	60% 12/20
Percent of departmental Employee Performance Reviews (EPRs) completed by the due date: Target: 100%.	87% 33/38	76% 31/41	90% 37/41	100% 41/41

County Counsel

LEGAL SERVICES BUDGET PROGRAM

Through this single Budget Program, the Office of County Counsel: 1) provides civil law legal advice to statutory clients, including the Board of Supervisors and Special Districts; and 2) defends or prosecutes all civil litigation in which the County, or its officers or employees in their official capacities, are parties.

Staffing

Staffing Detail By Budget Program	2018-19 Actual	2019-20 Adopted	2019-20 Estimated Actual	2020-21 Recommended	Change From FY19-20 Ado to FY20-21 Rec
COUNTY COUNSEL	1.00	1.00	1.00	1.00	-
CHIEF ASST COUNTY COUNSEL	1.00	1.00	1.00	1.00	-
CHIEF DEPUTY	1.33	2.00	2.00	2.00	-
DEPUTY COUNTY COUNSEL SR-RES	1.74	1.00	1.00	1.00	-
DEPUTY COUNTY COUNSEL SR	10.70	11.00	11.00	12.00	1.00
DEPUTY COUNTY COUNSEL	12.19	13.00	13.00	13.00	-
LEGAL OFFICE PRO	2.74	3.00	3.00	3.00	-
BUSINESS MANAGER	1.00	1.00	1.00	1.00	-
COMPUTER SYSTEMS SPEC	1.00	1.00	1.00	-	(1.00)
LEGAL OFFICE PRO SR-RES	7.00	7.00	7.00	7.00	-
Total	39.70	41.00	41.00	41.00	-

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Revenue & Expenditures

Budget By Categories of Expenditures	2018-19 Actual	2019-20 Adopted	2019-20 Estimated Actual	2020-21 Recommended	Change From FY19-20 Ado to FY20-21 Rec
Salaries and Employee Benefits	\$ 8,112,773	\$ 8,673,500	\$ 8,523,600	\$ 8,872,700	\$ 199,200
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Capital Assets	-	50,000	50,000	-	(50,000)
Increases to Fund Balances	63,000	-	-	-	-
Total Expenditures	\$ 8,781,592	\$ 9,582,900	\$ 9,433,000	\$ 9,935,300	\$ 352,400
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General Fund Contribution	3,814,200	3,950,800	3,950,800	8,793,400	4,842,600
Total Revenues	\$ 8,781,592	\$ 9,582,900	\$ 9,268,600	\$ 9,935,300	\$ 352,400

County Counsel

LEGAL SERVICES BUDGET PROGRAM (CONT'D)

2019-20 Anticipated Accomplishments

Resolved complex cost recovery litigation claims against Southern California Edison from the Thomas Fire and 1/9 Debris Flow: After strong coordination with FEMA and CalOES, the multi-part settlement agreement yielded the County, Flood Control District and Fire Protection District (“3 County entities”): 1) SCE’s initial payment to the 3 County entities of \$28.1 million; 2) escrow for payment by SCE to the 3 County entities of another \$2.8 million to \$15.8 million, depending on which pending disaster program applications FEMA and CalOES ultimately approve from about \$54.1 million of pending applications by the 3 County entities, and in addition to whatever funds FEMA and CalOES approve from those pending applications; 3) escrow for payment by SCE to FEMA and CalOES of another \$7.1 million to fully satisfy the obligations of the 3 County entities to repay FEMA and CalOES for disaster projects that FEMA and CalOES already have approved; and 4) FEMA’s confirmation that the 3 County entities have no further repayment obligation from another about \$110 million of Direct Federal Assistance by the U.S. Army Corps of Engineers for debris and sediment removal work. Defense against SCE’s Cross-Complaint is ongoing.

Provided extensive and effective legal support to the County’s unprecedented COVID-19 response.

Recovered \$677,000 so far in bankruptcy litigation with HVI Cat Canyon, Inc. (formerly Greka): After HVI Cat Canyon filed for bankruptcy on July 25, 2019, we obtained a venue shift from U.S. Bankruptcy Court in New York to Santa Barbara and appointment of a Trustee. Ongoing.

Progress handling the prolonged “new normal” increase in defined “complex case” property tax assessment appeals: In 2016 and 2017, the Clerk of the Board received a significant surge of these “complex cases,” where the taxable value of the property on the assessment roll is \$30 million or more. Compared to the prior three-year average of 4 complex cases: 2016 had 19 complex cases; 2017 had 15 complex cases; 2018 had 15 complex cases and 2019 had 8 complex cases. Defined complex cases need much more attorney support and many more hearing days than other assessment appeals. In 2019, we, with support of Assessor’s staff, resolved 13 complex cases. Beginning in Fall 2017, we assigned two additional attorneys to these cases, full-time, to work closely with Assessor’s staff and handle the increase in complex cases. With 8 complex cases in 2019 recently filed, the remaining unresolved 7 complex cases and 2 Superior Court refund actions pending, we anticipate still assigning 2 full-time attorneys to staff these cases. Ongoing.

Thomas Fire disaster recovery: Throughout fiscal year 2019-2020, our attorneys provided legal support to disaster recovery operations. This included: 1) the frequent contracting support necessary to continue to provide resources; and to protect the County later with reimbursements and within audits; and 2) assisting with recovery projects including: performance security, permitting, and installation of the Debris Nets Project;” obtained extended “price-gouging” protection; property acquisition; debris basin projects; and Hazard Mitigation Grant Program applications. Ongoing.

Cannabis regulation and permitting: After substantial changes in State law, we provided fast and extensive attorney support for the County’s cannabis regulation, including from January 2019-January 2020: 1) substantial zoning regulations and amendments; and, 2) business licenses and business license ordinance amendments. This included reviewing ordinance amendments and staff reports for 3 sets of business license ordinance amendments and 1 set of zoning ordinance amendments; staffing numerous Planning Commission hearings; and, staffing at least 15 Board hearings. In the first 6 months of Fiscal Year 2019-2020, approximately 76% of County Counsel “cannabis permitting” time was spent on ordinance amendments and updates. County Counsel also advised and assisted Planning and

County Counsel

LEGAL SERVICES BUDGET PROGRAM (CONT'D)

2019-20 Anticipated Accomplishments (Cont'd)

Development on permit applications and appeals and assisted CEO, Sheriff, and Treasurer Tax Collector with business license appeals. Ongoing.

Cannabis enforcement: Provided extensive legal support to the cannabis enforcement team including: assisting Planning and Development on reviewing Chapter 24A zoning and building enforcement cases and developing enforcement actions; and assisting the cannabis enforcement team on developing an enforcement strategy. Ongoing.

Behavioral Wellness housing, contracts, and audit: Provided extensive legal support for: Felony Mental Health Diversion grant funds including over \$3 million in funds for the County to provide residential treatment services; No Place Like Home funding with the Housing Authority of the County of Santa Barbara for the development of supportive housing including \$1.5 million for a project in north county and \$4.8 million for a project in south county; contracts for approximately 30 community-based organizations and; the audit of the County's Psychiatric Health Facility by the Centers for Medicare and Medicaid Services and California Department of Public Health. Ongoing.

ReSource Center: Provide extensive and time-critical legal support for construction of this project that will use conversion technology to extend the life of the Tajiguas Landfill. Ongoing.

State audits of County Medi-Cal programs: Continued litigation of State Fiscal Year (SFY) 07/08-13/14 audits, which at the start of the fiscal year totaled more than \$2.1 million of disallowed County costs. Recovered \$150,000 for costs disallowed in FY 11-12. Ongoing.

"Public Safety Power Shutoffs:" Participated with "Joint Local Governments" and obtained initial regulatory improvements through California Public Utilities Commission. Ongoing.

Legal support for weekly court calendars and regular litigation for: 1) "probate" conservatorships; 2) "LPS" mental health conservatorships; and 3) child protection actions. With child protection cases, we supported Social Services by litigating approximately 650-700 ongoing cases and prevailing in 7 of 8 writs and appeals at the Court of Appeal. Ongoing.

Other litigation since March 1, 2019 included:

- Successfully resolved 18 civil rights, tort, employment, and property rights cases for a total payout of less than \$1.1 million, where 10 of those cases (56%) were resolved with no County payout, including through motion practice, and another 3 were resolved with payouts of \$10,000 or less each.
- Prevailed in 7 of 8 Child Welfare Services appeals before the California Court of Appeal, involving issues such as termination of parental rights and adequacy/termination of family reunification services.
- Successfully closed-out County Counsel's litigation of self-insured workers' compensation "tail claims" for pre-7/01/10 injuries, by coordinating with Risk Management to resolve them economically and with appropriate contributions from County's excess insurer, CSAC-EIA (effective 7/01/10, County transitioned from self-insurance with excess coverage to "first dollar" coverage through CSAC-EIA's Primary Workers' Compensation Program).

County Counsel

LEGAL SERVICES BUDGET PROGRAM (CONT'D)

2019-20 Anticipated Accomplishments (Cont'd)

- Prevailed in 2 other “land use” cases:
 - Successfully defended the County’s approval and CEQA action in Buena Vista 796, LLC v. County of Santa Barbara in Superior Court, and the petitioners filed an appeal in September 2019 but subsequently dismissed before briefing;
 - Casa Blanca v. County of Santa Barbara, et. al, prevailed in Motion for Summary Judgment on all claims; this protected the County’s interest in a lateral public beach access easement near Santa Claus Beach.
- Murray: Made significant progress towards a reasonable structured settlement of Disability Rights California’s federal class action lawsuit alleging unconstitutional “conditions of confinement” at the Main Jail. Ongoing.

Delegation of \$50,000 limited litigation authority for defensive claims: In April 2019, the Board of Supervisors delegated limited litigation settlement authority to County Counsel for defensive claims, not to exceed \$50,000, and in coordination with County Executive Office and involved County departments. Compared to taking every litigation case to Closed Session this:

- Saved time otherwise needed to work up even small cases for Closed Session; and
- Increased the County’s agility with small litigation cases.

County Counsel

LEGAL SERVICES BUDGET PROGRAM (CONT'D)

2020-21 Objectives

Continue to provide timely and effective support for Thomas Fire/ Debris Flow long term disaster recovery: Defend against Southern California Edison's Cross-Complaint from the Thomas Fire and 1/9 Debris Flow, in which SCE attempts to shift SCE's potential litigation losses onto the County and Flood Control District. We expect that the County's disaster recovery operations will continue to need legal support throughout all of FY 2020-21.

Maintain extensive and effective legal support to the County's unprecedented COVID-19 response and recovery.

Cannabis regulation: Continue to provide timely and extensive legal support for the County's cannabis program including: 1) zoning regulations and amendments; 2) business licenses and business license ordinance amendments; 3) permitting; 4) appeals; and 5) enforcement.

Litigate complex case property tax assessment appeals, to protect about \$1.0 billion plus of "assessed value," including:

- CWI Santa Barbara Hotel LP & CWI2 Santa Barbara Hotel, LP. The disputed assessments involve the Ritz-Carlton Bacara, Santa Barbara (formerly Bacara Resort & Spa). For tax years 2017-2019, CWI's total valuation dispute with the County Assessor is about \$570 million;
- XHR Santa Barbara LLC. The disputed assessments involve the Canary Hotel. For tax years 2015 and 2017-2019, XHR's total valuation dispute with the County Assessor is about \$140 million; and
- Santa Maria Energy LLC. The disputed assessments involve oil and gas activities. For tax years 2013-2015, Santa Maria Energy's total valuation dispute with the County Assessor is about \$80 million.

Murray: Continue to work towards a reasonable structured settlement of Disability Rights California's federal class action lawsuit alleging unconstitutional "conditions of confinement" at the Main Jail.

State audits of County Medi-Cal programs by Behavioral Wellness and Public Health: We expect that further litigation will be ongoing throughout FY 2020-201, where we seek to recover the remaining about \$1.75 million of disallowed County costs for SFY 07/08-13/14.

Provide legal support to "Renew '22's" consideration of the County's delivery of services with available resources: Over the next several years this will likely require significant legal analysis of: 1) "mandatory" versus "discretionary" County services; 2) potential changes in how the County delivers some services; and 3) potential cost-saving options for personnel and pension costs.

Northern Branch Jail Project: Anticipated construction completion is June 2020. Because of the State's notification, disclosure and/or concurrence requirements involving AB900 bond financing, legal support will continue to be more complicated for this project than for non-AB900 projects. We expect to see a sustained, heavy demand for legal support throughout the next year for: 1) supporting multiple separate contracts within this project; 3 State agreements; the onsite construction agreement; and 3 consultant agreements [construction management and architect; Inspector of Record; and testing and special inspections]; 2) construction "change orders;" 3) construction claims, litigation, closeouts and audits, including current litigation against Rosser; and 4) related to opening the Northern Branch Jail, services contracts and Northern Branch Jail policies and procedures.

Emergency Ambulance Services: Provide extensive legal support for the Local Emergency Medical Services Agency for a Request for Proposals for emergency ambulance services.

County Counsel

LEGAL SERVICES BUDGET PROGRAM (CONT'D)

2020-21 Objectives (Cont'd)

“Public Safety Power Shutoffs:” Continue to work with “Joint Local Governments” to obtain more regulatory improvements through California Public Utilities Commission.

ReSource Center: Continue to provide extensive and time-critical legal support for the construction of this project that will use conversion technology to extend the life of the Tajiguas Landfill.

Laguna County Sanitation District Wastewater Plant Upgrade project: We expect to review project documents related to public financing; contracts; and construction.

Defend County and its employees in civil rights, tort, employment, and property rights cases, including:

- 9 cases already set for trial before March 2021: Carreno (alleges shooting by sheriff’s deputies caused wrongful death); Crown Castle (alleges conditional use permit fees for small wireless facilities are excessive in violation of the California Fee Mitigation Act and Telecommunications Act of 1996); Espailat and Keller (separate cases alleging dangerous conditions of County roads caused motor vehicle accidents); French (alleges sheriff’s deputy used excessive force following high-speed vehicle pursuit); McCrory (alleges employment discrimination, retaliation, defamation, and economic interference); O’Keefe (alleges dangerous condition of County property caused decedent to be struck by train); Schwinghammer (alleges employee not paid all owed); and Sobhani (alleges breach of lease).

Defend/prosecute County’s interests in state and federal court “land use” and property rights litigation, including:

- 3558 Sagunto Street: Defend against property owner’s appeal of Superior Court judgment denying request to enjoin County from applying the Development Plan to its property and granting the County’s demurrer to property owner’s takings claim.
- Orcutt Citizens for Responsible Growth CEQA litigation: Defend against CEQA litigation on Key Site 2 development project.
- True Horizons: Defend against a cross-complaint in the Fernald Point Bridge Replacement Project eminent domain litigation including defending against a claim that the Department of Public Works is not in compliance with their Coastal Development Permit for the Project.
- O’Neil v. California Coastal Commission et al.: Defend against a state court action in which Plaintiff is appealing the Coastal Commission’s denial of a rezone and ordinance amendments for his property in Summerland. The County approved the request for a permit and it was subsequently denied by the Commission.
- O’Neil v. California Coastal Commission et al.: Defend against this federal litigation relating to the land use designation of Plaintiff’s property, located in Summerland, and alleging that denial of a CDP in 2006 and subsequent approval in 2018 of a CDP, General Plan Amendment, and Rezone effected a temporary taking of Plaintiff’s property.
- Santa Barbara Coalition for Responsible Cannabis v. County of Santa Barbara: Defend against a CEQA challenge of the Board’s April 9, 2019 certification of the Final Environmental Impact Report and approval of the Hoop Structure Ordinance Amendment.

County Counsel

LEGAL SERVICES BUDGET PROGRAM (CONT'D)

2020-21 Objectives (Cont'd)

- Rancho La Laguna: Defend against property owner's challenge of the Board's denial of the 13-lot subdivision.
- Lazy Landing/ Nomad Village: Continue litigating lessees and operator of mobile home park claims of civil rights violations from application of Mobilehome Rent Control Ordinance.

Provide legal support to the Board of Supervisors and County staff about significant "land use," "water quality" and "water" issues, including:

- Cannabis ordinance amendments, permitting and enforcement.
- Consideration of: Accessory Dwelling Unit Ordinance Amendment; Agricultural Tiered Permitting Project; Circulation Element; Safety Element; Farmstays Ordinance Amendments; Orcutt Community Plan Amendment; Santa Claus Lane Streetscape, Beach Access and Parking; Advanced Meter (Southern California Gas Company) Ordinance Amendment; and Utility Grade Solar Ordinance and Policy Amendments.
- Negotiations for renewal of the Water Service Contract between the County Water Agency and the United States Bureau of Reclamation -- the "Cachuma Project" -- which otherwise expires in 2020.
- The County's negotiations with the Department of Water Resources and Central Coast Water Authority, for a contract to reacquire 12,214 acre-feet of "Table A" water.

County Counsel

