



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

Department Name: Public Works  
Department No.: 054  
For Agenda Of: October 18, 2011  
Placement: Set Hearing for  
November 8, 2011  
Estimated Time: 45 Minutes  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department Director Scott D. McGolpin, Director Public Works: 568-3010  
Contact Info: Chris Sneddon, Interim Deputy Director, Transportation; 568-3064  
Michael Emmons, County Surveyor: 568-3020  
**SUBJECT: Resolution in Support of the Old Town Orcutt Gateway Monument and Veterans' Memorial Public Art Project; Fourth Supervisorial District;**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:** N/A

**Recommended Actions:**

That the Board of Supervisors set a public hearing (Est. time: 45min.) to:

- A. Approve and authorize the Chair to adopt a Resolution in support of the Old Town Orcutt Gateway Monument and Veterans' Memorial Public Art Project; and
- B. Authorize the Director of Public Works to execute Caltrans applications, permits and agreements associated with construction and maintenance of the Old Town Orcutt Gateway Monument and Veterans' Memorial Public Art Project; and
- C. Find that the proposed action is for the minor public or private alterations in the condition of land, water, and/or vegetation, and does not involve removal of healthy, mature, scenic trees, and involves negligible or no expansion of use beyond that which presently exists, that the proposed action is therefore exempt from CEQA pursuant to Section 15304 Class 4, and approve the filing of a Notice of Exemption on that basis.

**Summary Text:**

This action will set a hearing for November 8, 2011 on the Board of Supervisors' Departmental agenda to allow the Old Town Orcutt Revitalization Association (OTORA) to present its plans and designs for the Old Town Orcutt Gateway Monument and Veterans' Memorial Public Art Project to the Board for approval.

**Background:**

Several months ago, the Public Works Department received a request for support from OTORA for their efforts to install a Veterans Memorial (the “Project”) on land owned by Caltrans adjacent to 120 East Clark Avenue at the “gateway” to Orcutt.

Prior to approaching Public Works, OTORA had already been working with Caltrans to install the Veteran’s Memorial at the Project site. The State of California has strict guidelines prohibiting installation of symbols within its right-of-way. To avoid those limitations, OTORA attempted to purchase the right-of-way, but was unsuccessful due to the high cost. The concept for the current art Project developed out of those purchase negotiations. OTORA created the current art Project design details in accordance with Caltrans requirements and collected letters and funds demonstrating public support for the Project.

This Project is supported by the Orcutt American Legion, Central Valleys Marine Corps League No. 1340, and OTORA, and Caltrans has agreed to process paperwork to allow OTORA to construct the Project within its right-of-way. However, Caltrans cannot grant a permit for this work directly to OTORA. Their protocol dictates they can only issue a permit to the County. The County can then issue a permit to OTORA for the construction and maintenance of the project.

A Resolution of Support from the County is required as an attachment to the Department of Transportation’s “Transportation Art Permit Application,” (copy attached). The subject Resolution contains language acknowledging the County’s support for the Project and that the County will be responsible for construction and maintenance thereof. OTORA has agreed to take over the responsibility for construction and maintenance of the Project by signing the attached Agreement to Construct and Maintain. If so authorized by your Board, the Road Commissioner will execute that Agreement on behalf of the County.

OTORA will complete Caltrans permits and forms on behalf of the County. County staff will review those unexecuted permits and forms, and the Road Commissioner will execute on behalf of the County.

The Notice of Exemption which is the subject of the pending Board action was conducted and submitted pursuant to the County’s California Environmental Quality Act (CEQA) guidelines. By this action, the Board supports the finding that the proposed action is for a minor public or private alterations in the condition of land, water, and/or vegetation which does not involve removal of healthy, mature, scenic trees and that the proposed action is therefore exempt from CEQA pursuant to 14 CCR 15304, and approves the filing of a Notice of Exemption.

**Fiscal and Facilities Impacts:**

Budgeted: No

**Fiscal Analysis:**

Narrative:

OTORA will provide all funding for construction and maintenance of this Project.

**Special Instructions:**

Clerk of the Board to file the CEQA Notice of Exemption

Please return one stamped, certified Minute Order and one original executed Resolution to Public Works Transportation, Attn: Gena Valentine Felix, x3064. Please retain the other executed original Resolution for your records.

**Attachments:**

Resolution of Support (2 originals)  
CEQA Notice of Exemption

**Authored by:**

Jeff Havlik, Real Property Agent, Public Works - Surveyors Division, 568-3073  
Bret Stewart; Public Works - Surveyors Division, 568-3041

**cc:**

Mr. Steve LeBard, OTORA