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## **ACTION SUMMARY**

**December 09, 2008**

**COUNTY ADMINISTRATION BUILDING  
BOARD HEARING ROOM, FOURTH FLOOR  
105 EAST ANAPAMU STREET, SANTA BARBARA**

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The Board of Supervisors meets concurrently as the Board of Directors of the Flood Control & Water Conservation District, Water Agency, Redevelopment Agency, the Santa Barbara Fund for Public and Educational Access and other Special Districts.

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**7:50 A.M. .... Convened and Recessed to Closed Session****9:00 A.M. .... Reconvened to Regular Session**

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*CONVENED AT 9:06 A.M.*

**Roll Call**

Present: Supervisor Carbajal, Supervisor Wolf, Supervisor Firestone, Supervisor Gray and Supervisor Centeno

**Pledge of Allegiance****Report from Closed Session**

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1) COUNTY COUNSEL

[File Reference No. 08-00994](#)

Closed Session Agenda

No reportable action taken.

**Approval of Minutes of the November 18, 2008 Meeting**

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A motion was made by Supervisor Firestone, seconded by Supervisor Gray, to Approve the Minutes. The motion carried unanimously.

**Approval of Minutes of the November 25, 2008 Special Meeting**

A motion was made by Supervisor Firestone, seconded by Supervisor Centeno, to Approve the Minutes. The motion carried unanimously.

## Administrative Agenda

### Honorary Resolutions

A-1) SUPERVISOR CARBAJAL [File Reference No. 08-01081](#)

Adopt a Resolution proclaiming the week of December 8-12, 2008 as Flood Awareness Week in the County of Santa Barbara.

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Adopted**

**RESOLUTION NO. 08-410**

**The motion carried unanimously.**

### Administrative Items

A-2) COUNTY EXECUTIVE OFFICE, OFFICE OF EMERGENCY SERVICES and PUBLIC WORKS [File Reference No. 08-01041](#)

HEARING - Consider recommendations regarding the Affirmation of Proclamation of Emergency Associated with Tea Fire, as follows: (EST. TIME: 5 MIN.)

- a) Adopt a Resolution reaffirming the ongoing existence of local emergency due to environmental impacts, response and recovery costs from the Tea Fire; and
- b) Accept a verbal report on the status of recovery efforts.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved**

**RESOLUTION NO. 08-411**

**The motion carried unanimously.**

A-3) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01094](#)

Approve Budget Revision Requests (SEE EXHIBIT A WITH POSTED AGENDA). (4/5 Vote Required)

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**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved. The motion carried unanimously.**

A-4) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01103](#)

Receive and file the Fiscal Issues report.

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Received and filed. The motion carried unanimously.**

A-5) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[File Reference No. 08-01111](#)

Consider recommendations regarding Weekend Differential and California Water Environment Association (CWEA) Special Duty Pay, as follows:

a) Effective December 1, 2008, amend the County's Memorandum of Understanding with SEIU Local 620 to add the classifications of ADP Service Specialist and ADMHS Rehabilitation Specialist to the list of classifications eligible for weekend differential pay; and

b) Adopt a resolution effective December 1, 2008 providing the following special duty pay for incumbents in the Maintenance Worker classification who are regularly assigned duties required to maintain County operated waste water systems:

i) 5% special duty pay for earning Grade 1 certification from the California Water Environment Association; and

ii) 5% special duty pay for earning Grade 2 certification from the California Water Environment Association.

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**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Acted on as follows:**

a) **Approved.**

b) **Adopted.**

**RESOLUTION NO. 08-412**

**The motion carried unanimously.**

A-6) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES[File Reference No. 08-01112](#)

Adopt a Resolution, effective December 1, 2008, regarding the Class Consolidation into Department Business Specialist Classification acting as follows:

Establishing the classification of Department Business Specialist I/II, salary range (5744/6044: \$4257-\$5197/\$4944-\$6035 monthly) and of Department Business Specialist I/II - Restricted, salary range, 5816/6116: \$4412-\$5387/\$5124-\$6256 monthly;

Deleting the classifications of Departmental Analyst - Fiscal, Departmental Analyst - Program, Departmental Analyst - Program, Restricted, Social Services Program Analyst, Social Services Information Systems Coordinator, and Social Services Information Systems Coordinator, Senior; and

Reallocating current positions and incumbents in the deleted classifications into the appropriate level and step in the newly established classifications as set forth in the Civil Service Rules.

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Adopted**

**RESOLUTION NO. 08-413**

**The motion carried unanimously.**

A-7) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 08-01075](#)

Approve and authorize the Chair to execute the revised Self-Funded Dental Plan's Legal Plan Document, converting from a fiscal plan year to a calendar plan year, effective January 1, 2009.

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved; Chair to Execute. The motion carried unanimously.**

A-8) GENERAL SERVICES [File Reference No. 08-01074](#)

Consider recommendations regarding the Alumni Corner Parking Lot in Isla Vista, Project No. 8680, approval of plans and specifications and authorization to bid, Third District, as follows:

a) Approve the plans and specifications for the Alumni Corner Parking Lot at 881 Embarcadero Del Mar, Isla Vista. The estimated construction cost is \$490,530; and

b) Authorize the Director of General Services to advertise for construction bids for the Parking Lot at 881 Embarcadero Del Mar, Isla Vista.

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Acted on as follows:**

**a) Approved.**

**b) Accepted.**

**The motion carried unanimously.**

A-9) GENERAL SERVICES [File Reference No. 08-01079](#)

Consider recommendations regarding the Franklin Clinic Remodel, Construction Contract Amendment No. 3 and Notice of Completion, 1136 E. Montecito Street, Santa Barbara, Project No. FL3007/8616, First District, as follows:

a) Approve and authorize Chair to execute Amendment No. 3 to the contract with Carroll Construction, Inc. for the Franklin Clinic Remodel in the amount of \$34,368, for a total contract amount of \$1,008,220; and

b) Accept the Notice of Completion for the remodel work performed by Carroll Construction, Inc., Santa Barbara, California.

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Acted on as follows:**

**a) Approved; Chair to execute.**

**b) Accepted.**

**The motion carried unanimously.**

A-10) GENERAL SERVICES [File Reference No. 08-01090](#)

Consider recommendations regarding Leases for Meteorological Monitoring and Related Equipment at Reagan's Ranch and Gibraltar Peak, First and Third Districts, as follows:

a) Approve and authorize the Chair to execute the First Amendment to Site Use Agreement No. 5015, Gibraltar Peak, for the Water Agency's lease of a portion of APN 153-280-021 from Community Radio, Inc. for meteorological monitoring and related equipment, a one (1) year term and \$1,200.00 annual rent; and

b) Approve and authorize the Chair to execute the First Amendment to Lease Agreement for Monitoring and Generator Station for the Water Agency's lease of a portion of APN 081-040-042, Reagan's Ranch, from Young America's Foundation, Inc. for meteorological monitoring and related equipment, a one (1) year term and \$1,200.00 annual rent.

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Acted on as follows:**

**a) and b) Approved; Chair to execute.**

**The motion carried unanimously.**

A-11) GENERAL SERVICES [File Reference No. 08-01106](#)

Consider recommendations regarding the transfer of North County Court Facilities to the State of California, Pursuant to the Trial Court Facilities Act of 2002 (SB 1732), as follows:

a) Approve and authorize the Chair to execute the following court facility Transfer Agreements and Joint Occupancy Agreements between Santa Barbara County and the Judicial Council of California, Administrative Office of the Courts (AOC):

i) Solvang Superior Court, 1745 Mission Drive, Solvang;

ii) Lompoc Superior Court, 115 Civic Center Plaza, Lompoc;

iii) Santa Maria Juvenile Court, 4285 California Blvd, Santa Maria;

iv) Santa Maria Superior Court, 312 East Cook Street, Santa Maria;

v) Santa Maria Family Mediation Services Lease, 201 S. Miller Street, Santa Maria; and

b) Authorize and direct the Director, Department of General Services, to execute any other documents that may be necessary to accomplish the approved transfers, as long as they are consistent with the Board's actions to approve those transfers and to perform all necessary actions under the Transfer Agreements and Joint Occupancy Agreements, including the transfer of services, on behalf of the County.

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A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Acted on as follows:

a) Approved; Chair to execute.

b) Authorized.

The motion carried unanimously.

A-12) GENERAL SERVICES [File Reference No. 08-01110](#)

Accept the Hutton Foundation's donation of \$20,000.00 for acoustic treatment of the auditorium in the Lompoc Veterans Building, Fourth District.

A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Accepted. The motion carried unanimously.

A-13) GENERAL SERVICES and PUBLIC WORKS [File Reference No. 08-01091](#)

Approve and authorize the Chair to execute the Notice of Existence of Closed Landfill as Required by Title 27 CCR, Section 21170. CIWBM- Recording. T14: Section 17787, regarding the closure of the inactive Foxen Canyon Landfill, 4004 Foxen Canyon Road, near Los Olivos, Third District.

A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved; Chair to Execute. The motion carried unanimously.

A-14) PLANNING AND DEVELOPMENT [File Reference No. 08-01098](#)

Receive and file a report on Emergency Permits, 08EMP-00000-00001; -00003; and -00005, for conducting Routine Annual Maintenance activities on three creeks: Middle and North Green Canyon Channels, Carpinteria Creek, and San Ysidro Creek, Site Addresses: Various, APNs 113-070-029 and -030; 001-030-014 and -030; 001-060-053 and -060; 001-080-008, -011 and -044; 007-280-047; 007-340-032 and -034; 007-530-005, -006, -007, -008 and -035, First and Fourth Districts.

A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Received and filed. The motion carried unanimously.

A-15) PLANNING AND DEVELOPMENT[File Reference No. 08-01099](#)

Adopt a Resolution and direct staff to submit the following Local Coastal Program amendments to the California Coastal Commission for certification:

- a) Ordinance No. 4672 amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code to revise the permitting process for road naming and time extensions of certain previously approved discretionary projects;
- b) Ordinance No. 4673 amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code to revise the permitting process for road naming, septic systems in designated Special Problems Areas, and time extensions of certain previously approved discretionary projects;
- c) Ordinance No. 4680 amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code to revise the permitting process for overall sign plans, Special Care Homes, and temporary sales offices in new subdivisions;
- d) Ordinance No. 4681 amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code to revise the permitting process for overall sign plans and Special Care Homes;
- e) Ordinance No. 4686 amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code to implement a transfer of development rights program in the unincorporated areas of the South Coast located outside of the Montecito Community Plan area;
- f) Ordinance No. 4687 amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code to implement a transfer of development rights program in the Montecito Community Plan area;
- g) Ordinance No. 4692 amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code to add a new zone Naples Townsite and include development standards and processing requirements for that zone;
- h) Ordinance No. 4693 amending the County Zoning Map to change the zone applied to the Naples Townsite area from AG-II-100 and Unlimited Agriculture (U) to Naples Townsite (NTS); and
- i) Adopt Resolution No. 08-363 amending the Coastal Land Use Plan to add Naples Townsite policies to Section 3.2, Development, revise Figure 4-9 to incorporate the Naples Townsite designation, add text regarding the Naples Townsite to the end of Appendix B, Land Use Definitions, amend the Gaviota Coast Rural Region Map of the Coastal Land Use Plan to change the land use designation from A-II-100 to Naples Townsite (NTS) for the Naples Townsite area, and amend the text and map of the Land Use and Development Code to create a new Naples Townsite (NTS) zone with boundaries to coincide with the NTS land use designation.

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**Acted on as follows:**

A motion was made by Supervisor Gray, Seconded by Supervisor Centeno as follows:

Approve staff recommendations a) through i).

No vote taken.

A motion was made by Supervisor Wolf, Seconded by Supervisor Firestone as follows:

Approve reconsideration of matter.

The motion carried unanimously.

A motion was made by Supervisor Wolf, seconded by Supervisor Centeno as follows:

Approve recommendations a) through d).

The motion carried unanimously.

A motion was made by Supervisor Firestone, Seconded by Supervisor Gray as follows:

Approve recommendations e) through i).

The motion carried by the following vote:

Ayes: 4 - Supervisor Carbajal, Supervisor Firestone, Supervisor Gray, Supervisor Centeno

Noes: 1 - Supervisor Wolf

A-16) PLANNING AND DEVELOPMENT

[File Reference No. 08-01100](#)

Approve and authorize the Chair to execute an agricultural preserve replacement contract with Rancho Encantado, Inc, 08AGP-00000-00022, replacing a portion of the original Agricultural Preserve 88-AP-001. The replacement contract involves Assessor's Parcel Number 141-290-031 (portion of) located approximately two miles east of Refugio Road, known as 170 South Refugio Road, in the Santa Ynez area, Third District.

A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved; Chair to Execute. The motion carried unanimously.

A-17) PLANNING AND DEVELOPMENT

[File Reference No. 08-01101](#)

Approve and authorize the Chair to execute an agricultural preserve replacement contract with John DeNault, 08AGP-00000-00020, replacing a portion of the original Agricultural Preserve 90-AP-002B. The replacement contract involves Assessor's Parcel Number 141-090-035, located off Happy Canyon Road, in the Santa Ynez area, Third District.

A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved; Chair to Execute. The motion carried unanimously.

A-18) PLANNING AND DEVELOPMENT[File Reference No. 08-01102](#)

Consider the request of the Kelley Elmore Witt Family Limited Partnership, owners, for the creation of a new prime agricultural preserve contract, Case No. 08AGP-00000-00038, and a consistency rezone, Case No. 08RZN-00000-00011, APNs 093-060-008, -022, and -024 located on Central Avenue between Union Sugar and DeWolfe Avenue, in the Lompoc area, Fourth District, as follows:

Approve the Rezone, as follows:

- a) Adopt the required findings for 08RZN-00000-00011 specified in Attachment A of the Planning Commission action letter dated November 12, 2008, including CEQA findings;
- b) Accept the exemption, dated November 12, 2008, pursuant to CEQA Section 15061(b)(3); and
- c) Adopt a Zoning Map Amendment for APN 093-060-022, and -024, amending the Inland Zoning Map for the Lompoc Valley Rural Region Zoning District;

Approve the creation of a new prime Agricultural Preserve Contract, as follows:

- d) Adopt the required findings for 08AGP-00000-00038 specified in Attachment A of the Planning Commission action letter dated November 12, 2008, including CEQA findings;
- e) Accept the exemption, dated November 12, 2008, pursuant to CEQA Section 15317;
- f) Approve and authorize the Chair to execute an Agreement creating Agricultural Preserve, 08AGP-00000-00038; and
- g) Adopt a Resolution creating Agricultural Preserve, 08AGP-00000-00038.

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Acted on as follows:**

**Approve the Rezone:**

- a) **Adopted.**
- b) **Accepted.**
- c) **Adopted.**

**ORDINANCE NO. 4700**

**Approve the creation of a new prime Agricultural Preserve Contract:**

- d) **Adopted.**
- e) **Accepted.**
- f) **Approved; Chair to execute.**
- g) **Adopted.**

**RESOLUTION NO. 08-415**

**The motion carried unanimously.**

- A-19) PLANNING AND DEVELOPMENT [File Reference No. 08-01107](#)
- Approve the submission of an application to the State Water Resources Control Board for funds to operate and maintain the Toro Canyon Oil Facility, First District.
- A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved. The motion carried unanimously.**
- A-20) PUBLIC WORKS [File Reference No. 08-01076](#)
- Accept the offer of dedication of 30 feet of Public Road Easement on Riven Rock Road and Hot Springs Road, as offered on Tentative Parcel Map (TPM) 14,644 in the unincorporated area of Santa Barbara, First District. (4/5 Vote Required)
- A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Accepted. The motion carried unanimously.**
- A-21) PUBLIC WORKS [File Reference No. 08-01077](#)
- Accept a thirty (30) foot wide offer of Public Road and Utility easement over Telephone Road, Fourth District.
- A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Accepted. The motion carried unanimously.**
- A-22) PUBLIC WORKS [File Reference No. 08-01078](#)
- Approve the proposed Proposition 1B Expenditure Plan for 2008 Supplemental Funding for approved road projects in the amount of \$1,070,000.
- A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved. The motion carried unanimously.**
- A-23) PUBLIC WORKS [File Reference No. 08-01080](#)
- Authorize the Director of Public Works to advertise for construction of Tajiguas Landfill Phase 2B Liner Construction Project, County Project No. 828724, Third District.
- A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Authorized. The motion carried unanimously.**
- A-24) PUBLIC WORKS [File Reference No. 08-01086](#)
- Approve and authorize the Chair to execute Amendment No. 3, for a two year time extension to the existing agreement with Willdan Engineering for Detailed Design for the Summerland Circulation and Parking Improvements Project, County Project No. 862256, First District.
- A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved; Chair to Execute. The motion carried unanimously.**
- A-25) PUBLIC WORKS [File Reference No. 08-01092](#)
- Release the monument deposit collected in the amount of \$25,855.00 that was posted for Tract No. 14,629, Clubhouse Estates, Third District.
- A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved. The motion carried unanimously.**

- A-26) PUBLIC WORKS and BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 08-01082](#)

Find that it is infeasible to construct Regional Basin F, Stonegate Ranch, Tract No. 14,481, as identified in the Orcutt Community Plan, Fourth District.

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**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved. The motion carried unanimously.**

- A-27) PUBLIC WORKS and BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 08-01089](#)

Approve an Application for Destruction of Records prior to Fiscal Year 1994-1995, which are no longer required by law to be retained. (4/5 Vote Required)

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved. The motion carried unanimously.**

- A-28) TREASURER-TAX COLLECTOR and INFORMATION TECHNOLOGY SERVICES [File Reference No. 08-01095](#)

Consider recommendations regarding the IT Project Manager for the Property Tax System Replacement Project, as follows: (4/5 Vote Required)

a) Adopt a CEO/ Human Resources Resolution effective December 15, 2008 adding one (1.0 FTE) Program/ Business Leader - General position to the Information Technology Department;

b) Approve funding to hire an Information Technology Project Manager, Program/ Business Leader - General, to lead the Property Tax Replacement Project; and

c) Approve Budget Revision Request No. 2007596 for \$86,000 from contingency designations to fund a new Program/ Business Leader General position to lead the Property Tax Replacement Project for the remainder of FY 2008-09, approximately 7 months.

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Acted on as follows:**

**a) Adopted.**

**RESOLUTION NO. 08-416**

**b) and c) Approved.**

**The motion carried unanimously.**

## Board of Supervisors

- A-29) SUPERVISOR WOLF [File Reference No. 08-01083](#)

Approve the reappointment of Karen L. Johnson to the CenCal Health Board of Directors, term ending December 31, 2010, Second District.

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved. The motion carried unanimously.**

- A-30) SUPERVISOR WOLF [File Reference No. 08-01084](#)  
Approve the reappointment of Laurie A. Yttri to the CenCal Health Board of Directors, term ending December 31, 2010, Second District.  
**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved. The motion carried unanimously.**
- A-31) SUPERVISOR WOLF [File Reference No. 08-01085](#)  
Approve the reappointment of Katherine Wyman Smith to the Advisory Board on Alcohol and Drug Problems, term ending December 31, 2011, Second District.  
**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved. The motion carried unanimously.**
- A-32) SUPERVISOR WOLF and SUPERVISOR GRAY [File Reference No. 08-01087](#)  
Approve the reappointment of Vanessa Lynn Patterson to the Retirement Board of the Santa Barbara County Employee's Retirement System, term ending December 31, 2011, Second District.  
**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved. The motion carried unanimously.**
- A-33) SUPERVISOR WOLF [File Reference No. 08-01093](#)  
Approve the reappointment of Cecilia M. Brown to the Planning Commission, term ending December 31, 2010, Second District.  
**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Approved. The motion carried unanimously.**

### Hearing Requests

- A-34) PLANNING AND DEVELOPMENT [File Reference No. 08-01104](#)  
Set hearing to receive and file a briefing on the impacts and opportunities associated with new statewide climate change legislation, and provide direction to staff as necessary.  
**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: December 16, 2008 in Santa Maria (EST. TIME: 45 MIN.) The motion carried unanimously.**

A-35) PUBLIC HEALTH[File Reference No. 08-01088](#)

Set hearing to consider recommendations regarding an Ordinance Amending Animal Services Fee Schedule, as follows:

- a) Consider the introduction (first reading) of an Ordinance Amending the Animal Services Fee Schedule effective February 20, 2009;
- b) Set hearing for January 20, 2009 to consider the adoption (second reading) of Ordinance Amending the Animal Services Fee Schedule; and
- c) Approve a Notice of Exemption pursuant to California Environmental Quality Act of 1970 (CEQA) Guidelines.

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: January 13, 2009 in Santa Barbara (EST. TIME: 30 MIN.) The motion carried unanimously.**

A-36) PUBLIC WORKS[File Reference No. 08-01096](#)

Set hearing to uphold or overturn the decision of the County Surveyor to deny issuing a Certificate of Compliance on the Giorgi property, APN 081-020-023, Third District.

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: December 16, 2008 in Santa Maria (EST. TIME: 45 MIN.) The motion carried unanimously.**

A-37) SUPERVISOR FIRESTONE[File Reference No. 08-01133](#)

Set hearing to consider adopting a Graffiti Abatement Ordinance, as follows:

- a) Consider the introduction (first reading) of a Graffiti Abatement Ordinance to add Chapter 47, Graffiti Abatement, to the Santa Barbara County Code; and
- b) Set hearing for January 13, 2009, to consider recommendations as follows:
  - i) Consider the adoption (second reading) of a Graffiti Abatement Ordinance to add Chapter 47, Graffiti Abatement, to the Santa Barbara County Code; and
  - ii) Adopt a Resolution to Enable the Graffiti Ordinance within Isla Vista.

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Set for a hearing, as follows: December 16, 2008 in Santa Maria (EST. TIME: 15 MIN.) The motion carried unanimously.**

### Approval of Administrative Agenda

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*HEARING TIME 9:06 - 9:29 A.M. (23 MIN.)*

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, to Approve the Administrative Agenda as Amended. The motion carried unanimously.**

**Public Comment Period**

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*HEARING TIME 9:30 A.M. - 9:50 A.M. (20 MIN.)*

**Persons desiring to address the Board must complete and deliver to the Clerk the form which is available at the Hearing Room entrance prior to the commencement of this 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. 03-282) (08-00001)**

**RE: Employment Issues - Dr. Robert L. Johns Addressed the Board.**

**RE: County Response to the Tea Fire/Support/Service - David Diaz, Scott Wenz, J'Amy Brown, Claire Gottsdanker and J. Abraham Powell Addressed the Board.**

**RE: Agenda Management - Andy Caldwell Addressed the Board.**

**Departmental Agenda**  
**Planning Items and Public Hearings**

1) PUBLIC WORKS[File Reference No. 08-01097](#)

HEARING - Consider recommendations regarding the development and implementation of a voluntary program for the County to provide fire debris removal services for private properties affected by the Tea Fire, as follows: (EST. TIME: 30 MIN.)

- a) Find that the project is necessary for the protection of the health and safety of the general public from potential air quality hazards and water quality impacts;
- b) Direct staff to develop and implement a voluntary program for the County to provide fire debris removal services for private properties affected by the Tea Fire;
- c) Accept the Notice of Exemption for the project pursuant to CEQA Guidelines Section 15269(a) Emergency Projects;
- d) Identify the source of funding for the program costs; and
- e) Authorize the Public Works Director, or designee, to execute the Agreement for Debris Removal and Right of Entry in connection with the Tea Fire debris removal on private property.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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*HEARING TIME: 9:55 A.M. - 9:56 A.M. (1 MIN.)*

**A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: December 23, 2009 in Santa Barbara. Directed staff to report back as a component of the update on the post recovery efforts and adoption of resolution reaffirming the ongoing existence of a local emergency due to the Tea Fire. (EST. TIME: 10 MIN.) The motion carried unanimously.**

2) PLANNING AND DEVELOPMENT[File Reference No. 08-00957](#)

HEARING - Consider approval of the 2003-2008 General Plan Housing Element Focused Rezone Program, as recommended by the Planning Commission with the concurrence of staff, including associated amendments to the 2003-2008 Housing Element, the Orcutt Community Plan, and the Land Use Development Code. The Focused Rezone Program rezones portions of two sites, designated as Key Site 3 and Key Site 16 in the Orcutt Community Plan area, to the Multi-Family Residential Orcutt MR-0 zone designation for the purpose of providing 370 units of residential capacity in the County General Plan. Adoption of the Focused Rezone Program allows the County to maintain Housing Element certification through the end of the current State planning period, as follows: (EST. TIME: 1 HR.)

a) Certify the 2003-2008 Housing Element Focused Rezone Program Environmental Impact Report, 08-EIR-00000-00005; SCH#2008061139, including EIR Revision Letters dated October 15, 2008 and November 12, 2008; and, adopt the Mitigation Monitoring and Reporting Program and related CEQA Findings and Statement of Overriding Considerations;

b) Receive a Planning Commission Action Letter and accompanying Planning Commission Resolution recommending that the Board of Supervisors approve the Housing Element Focused Rezone Program by amending the Santa Barbara County General Plan Housing Element, Orcutt Community Plan, and the Land Use Development Code as described below;

c) Adopt a Resolution approving specific amendments to the General Plan Housing Element by inserting a revised Policy 1.10: Action 1 Rezone Program and a new subsection entitled Appendix E2 that describes the revised Focused Rezone Program;

d) Adopt a Resolution approving specific amendments to the Orcutt Community Plan by changing land use designations from Residential Ranchette Minimum Parcel Size 10 acres to Residential 20 on a portion of APN 129-151-026 and from General Commercial to Residential 20 on a portion of APN 105-330-001 and APN 105-330-002; by revising development standards for two sites identified in the Orcutt Community Plan as Key Site 3 and Key Site 16; and, by adding Appendix F, the Mitigation Monitoring and Reporting Program; and

e) Adopt an Ordinance amending the Santa Barbara County Land Use & Development Code by inserting the new Multi-Family Residential-Orcutt zone district and by amending the Santa Barbara County Zoning Map by rezoning a portion of APN 129-151-026, APN 105-330-001, and APN 105-330-002 to apply the new Multi-Family Residential-Orcutt zone.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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*HEARING TIME: 9:53 A.M. - 9:54 A.M. (1 MIN.)*

**A motion was made by Supervisor Centeno, seconded by Supervisor Gray, that this matter be Continued, as follows: December 16, 2008 in Santa Maria (EST. TIME: 60 MIN.) The motion carried unanimously.**

3) PLANNING AND DEVELOPMENT[File Reference No. 08-01055](#)

HEARING - Consider Case Nos. 08APL-00000-00036 and 08APL-00000-00037 for the Jean and Stan Harfinest and Citizens Planning Association Appeals of the Montecito Planning Commission's Approval of the Miramar Beach Resort and Bungalows Project, 07RVP-00000-00009, 07CUP-00000-00045, 07CUP-00000-00046, 07CUP 00000-00047, 08CUP-00000-00005; 08GOV-00000-00017 and 08CDP-00000-00054, First District, as follows: (EST. TIME: 3 HRS.)

- a) Deny the appeals;
- b) Adopt the required findings for the project contained in the October 8, 2008 Montecito Planning Commission Action Letter, as amended by the Errata dated November 20, 2008, including findings for the revised Development Plan and modifications to the ordinance standards for setbacks, height, and parking, including the CEQA findings. The October 8, 2008 Montecito Planning Commission Action Letter was included as Attachment A of the November 18, 2008 Board Set Hearing Letter;
- c) Certify the Subsequent Environmental Impact Report 08EIR-00000-00003 and approve the Addendum as amended by the Errata dated November 20, 2008, and adopt the mitigation monitoring program contained in the conditions of approval. The Subsequent Environmental Impact Report 08EIR-00000-00003 and Addendum were included as Attachment C of the November 18, 2008 Board Set Hearing Letter; and
- d) Grant de novo approval of the project, as amended by the Errata dated November 20, 2008, subject to the conditions included as Attachment C of the October 8, 2008 Montecito Planning Commission Action Letter. The October 8, 2008 Montecito Planning Commission Action Letter was included as Attachment A of the November 18, 2008 Board Set Hearing Letter.

## COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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*HEARING TIME: 10:28 A.M.-12:45 P.M. - 1:20 P.M.- 3:10 P.M. (4 HRS. 7 MIN.)*

**A motion was made by Supervisor Carbajal, seconded by Supervisor Firestone, that this matter be Acted on as follows:**

**Received and filed staff presentation and conducted public hearing.**

- a) **Denied the appeals.**
- b) **Adopted.**
- c) **Certified.**
- d) **Granted de novo approval of the project.**

**The motion carried by the following vote:**

Ayes: 4 - Supervisor Carbajal, Supervisor Firestone, Supervisor Gray and Supervisor Centeno  
Noes: 1 - Supervisor Wolf

4) PLANNING AND DEVELOPMENT[File Reference No. 08-01056](#)

HEARING - Receive a report on post-approval of the Santa Barbara Ranch Project, Third District, and act as follows: (EST. TIME: 15 MIN.)

- a) Adopt the findings set forth in Section III of the supplemental memorandum; and
- b) Approve the corrections and modifications to the Conditions of Approval for the Santa Barbara Ranch Project consisting of those changes set forth.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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*HEARING TIME: 3:23 P.M. - 4:01 P.M. (38 MIN.)*

**A motion was made by Supervisor Firestone, seconded by Supervisor Gray, that this matter be Acted on as follows:**

**Received and filed staff presentation and conducted public hearing.**

**a) Adopted Findings as reflected in Section III of the Planning and Development Staff Report dated December 9, 2008;**

**b) Approved Revisions set forth in Attachment B of the Planning and Development Staff Report dated December 9, 2008 with the following additions:**

**i) Revised Table 1 by Making Condition F.4.b Applicable to 08DVP-00000-00024 and 08CDP-00000-00080; and**

**ii) Corrected CDP/CUP Headings and Proper Lot Reference to Water Treatment Facility.**

**The motion carried by the following vote:**

Ayes: 3 - Supervisor Firestone, Supervisor Gray and Supervisor Centeno

Noes: 2 - Supervisor Carbajal and Supervisor Wolf

5) COUNTY EXECUTIVE OFFICE and PLANNING AND DEVELOPMENT

[File Reference No. 08-00917](#)

HEARING - Consider recommendations regarding the adoption of amendments to the Petroleum Code (Chapter 25 of the Santa Barbara County Code) addressing regulation of "High Risk" Operations and Operators, as follows: (EST. TIME: 5 MIN.)

a) Consider the adoption (second reading) of an ordinance amending the Petroleum Code (Chapter 25 of the Santa Barbara County Code) to become effective 30 days from adoption.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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*HEARING TIME: 4:02 P.M. - 4:08 P.M. (5 MIN.)*

**Acted on as follows:**

**Received staff presentation and conducted public hearing.**

**A motion was made Supervisor Centeno, seconded by Supervisor Wolf as follows:**

**a) Adopted.**

**ORDINANCE NO. 4701**

**Motion carried by the following vote:**

**Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Centeno and Supervisor Gray**

**Recused: 1 - Supervisor Firestone**

**Note: Third District Supervisor Firestone recused himself and did not participate in this matter.**

6) GENERAL SERVICES[File Reference No. 08-01064](#)

HEARING - Consider recommendations regarding the Santa Claus Lane Beach Access Acquisition Project, First District, as follows: (4/5 Vote Required) (EST. TIME: 10 MIN.)

- a) Approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines regarding the acquisition of two vacant parcels located on the sandy beach area of the ocean side of the Union Pacific Railroad Company's right of way, in the Santa Claus Lane area of Carpinteria Valley, in the County of Santa Barbara;
- b) Accept the Planning Commission's report showing that acquisition of the proposed vacant parcels is consistent with the Comprehensive Plan of the County of Santa Barbara pursuant to Government Code 65402; and
- c) Adopt the Resolution of Necessity to acquire real property in fee simple interest for all the uses and purposes of beach access and beach use and any related public improvements on property identified as owned by Jean B. Saxby (005-440-002) and Laura A. Maloney and Josephine F. Babcock (005-440-003), in the incorporated area of the County of Santa Barbara, located on the ocean side of the Union Pacific Railroad Company's right of way, in the Santa Claus Lane area of the Carpinteria Valley.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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*HEARING TIME: 4:09 P.M. - 4:15 P.M. (6 MIN.)*

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

**Received staff presentation and conducted public hearing.**

- a) Approved.**
- b) Accepted.**
- c) Adopted.**

**RESOLUTION NO. 08-417**

**The motion carried unanimously.**

7) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 08-01012](#)

HEARING - Consider recommendations regarding the appointment of members of the Special District Board of Directors in lieu of election with vacancies, as follows: (EST. TIME: 15 MIN.)

a) Appoint directors to fill vacancies as follows:

i) One vacancy to be appointed by the Board of Supervisors for the Casmalia Community Services District, four-year term, Fourth District;

ii) One vacancy to be appointed by the Board of Supervisors for the Cuyama Community Services District, four-year term, Fifth District; and

iii) One vacancy to be appointed by the Board of Supervisors for the Cuyama Community Services District, two-year term, Fifth District.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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*HEARING TIME: 4:16 P.M. - 4:17 P.M.*

**A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Acted on and continued, as follows:**

**Received and filed staff presentation and conduction public hearing.**

**a) i) Appointed Virgil P. Veglia to the Casmalia Community Services District, four-year term, Fourth District;**

**ii) and iii) Continued to December 16, 2008 in Santa Maria.**

**The motion carried unanimously.**

8) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01070](#)

HEARING - Consider the adoption of the 2009 Board of Supervisors' schedule of meeting dates and locations. (EST. TIME: 15 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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*HEARING TIME: 4:18 P.M. - 4:19 P.M. (1 MIN.)*

**A motion was made by Supervisor Firestone, seconded by Supervisor Centeno, that this matter be Adopted. The motion carried unanimously.**

9) PLANNING AND DEVELOPMENT[File Reference No. 08-01062](#)

HEARING - Consider the adoption of a fee ordinance for Planning and Development, Building and Safety Division, as follows: (EST. TIME: 15 MIN.)

a) Consider the introduction (first reading) of an ordinance adjusting fees for Planning and Development Building and Safety Division and rescinding Ordinance No. 4684; and

b) Set hearing for December 16, 2008 to consider the adoption (second reading) of the Building fee ordinance, to be effective 60 days from adoption.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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*HEARING TIME: 4:20 P.M. - 4:21 P.M. (1 MIN.)*

**Acted on as follows:**

**Received staff presentation and conducted public hearing.**

**A motion was made Supervisor Wolf, seconded by Supervisor Centeno as follows:**

**a) Read title, waived reading of ordinance in it's entirety. Introduction approved; adoption (second reading) set for December 16, 2008.**

**b) Set hearing for December 16, 2008 in Santa Barbara.**

**Motion carried by the following vote:**

**Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Centeno and Supervisor Gray**

**Abstained: 1 - Supervisor Firestone**

10) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01054](#)

HEARING - Consider recommendations regarding Discretionary Facility Projects tentatively approved for FY 2008-09, as follows: (EST. TIME: 45 MIN.)

- a) Receive a status update on certain capital improvement projects that are currently in the design phase;
- b) Direct staff to proceed with these certain capital improvement projects as the Board determines appropriate; and
- c) Receive and file supplemental information regarding the Discretionary Facility Projects from the County Executive Officer and the Director of General Services.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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*HEARING TIME: 4:22 P.M. - 5:40 P.M. (78 MIN.)*

**A motion was made by Supervisor Carbajal, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

**Received staff presentation and conducted public hearing.**

- a) **Received.**
- b) **Directed the allocation of existing \$4.4 million to the Sheriffs Technical Services Building project. Further directed staff to cease activity on the additional capital improvement projects as listed in the General Services Staff Report dated December 9, 2008 until report by County Executive Officer in July 2009.**
- c) **Received and filed.**

**The motion carried unanimously.**

11) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01019](#)

HEARING - Receive a report on federal legislative issues, including an update on the status of projects and programs contained within the County's 2008 legislative platform. (EST TIME: 30 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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*HEARING TIME: 6:15 P.M. - 6:40 P.M. (25 MIN.)*

**A motion was made by Supervisor Firestone, seconded by Supervisor Centeno, that this matter be Received and filed.  
The motion carried unanimously.**

12) PUBLIC WORKS[File Reference No. 08-01051](#)

HEARING - Consider recommendations regarding County Service Area 31 Streetlighting Benefit Assessment for Fiscal Year 2009-2010, Third District, as follows: (EST. TIME: 15 MIN.)

- a) Receive and file a fixed Charge Fee Report for fiscal year 2009-2010 with the Clerk of the Board, which reports the proposed benefit assessment for County Service Area 31, restoring the annual amount from \$8.00 to \$12.93;
- b) Approve Public Works Department Notice of Exemption pursuant to County California Environmental Quality Act (CEQA) Guidelines; and
- c) Adopt a Resolution to benefit assessment charges for County Service Area 31 for fiscal year 2009-2010.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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*HEARING TIME: 6:45 P.M. - 6:50 P.M. (5 MIN.)*

**A motion was made by Supervisor Firestone, seconded by Supervisor Wolf, that this matter be Acted on as follows:**

**Received staff presentation and conducted public hearing.**

- a) **Received and filed.**
- b) **Approved.**
- c) **Adopted.**

**RESOLUTION NO. 08-418**

**The motion carried by the following vote:**

Ayes: 4 - Supervisor Carbajal, Supervisor Wolf, Supervisor Firestone and Supervisor Centeno  
Absent: 1 - Supervisor Gray

**Adjourned at 6:55 P.M.**

**The Board of Supervisors adjourned the meeting of December 9, 2008 in honor of Gregory Anderson of Santa Maria and Mark Riddering, Santa Maria Police Department.**

**Adjourned to**

**December 16, 2008**

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**Betteravia Government Center**  
**Board Hearing Room**  
**511 East Lakeside Parkway**  
**Santa Maria**

**Announcements**

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