
ACTION SUMMARY

July 08, 2008

**BETTERAVIA GOVERNMENT CENTER
BOARD HEARING ROOM
511 EAST LAKESIDE PARKWAY, SANTA MARIA**

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.

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

7:50 A.M. Convened and Recessed to Closed Session

9:00 A.M. Reconvened to Regular Session

CONVENED AT 9:04 A.M.

Roll Call

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

Pledge of Allegiance

Report from Closed Session

COUNTY COUNSEL

[File Reference No. 08-00663](#)

Closed Session Agenda

No reportable action taken.

Approval of Minutes of the July 1, 2008 meeting

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

Approval of Minutes of the July 3, 2008 emergency meeting

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

Receive Report on the status of the Gap Fire.

Received and filed staff report - Michael Harris, Chief of Emergency Operations, Addressed the Board.

Administrative Agenda

Resolutions to be Presented

A-1) SUPERVISOR WOLF

[File Reference No. 08-00662](#)

Adopt a Resolution of Commendation honoring Ruben Barajas upon his retirement from the County Parks Department after 34 years of dedicated service to the County of Santa Barbara.

A motion was made that this matter be Adopted

RESOLUTION NO. 08-258

The motion carried unanimously.

Honorary Resolutions

A-2) SUPERVISOR CENTENO [File Reference No. 08-00635](#)

Adopt a Resolution of Commendation honoring Sergeant Jerry R. Cornell upon his retirement from the Sheriff's Department after over 29 years of faithful and distinguished service to the citizens of Santa Barbara County.

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

RESOLUTION NO. 08-259

The motion carried unanimously.

Administrative Items

A-3) COMMUNICATIONS FOR REFERRAL [File Reference No. 08-00642](#)

Santa Barbara County Association of Governments - Approve the request of the Santa Barbara County Association of Governments to call an election to be set for November 4, 2008 for the voters of the county to consider the adoption of an ordinance to extend Measure A upon its expiration on March 31, 2010.

(APPROVE AND REFER TO THE COUNTY CLERK-RECORDER-ASSESSOR)

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

A-4) COMMUNICATIONS FOR REFERRAL [File Reference No. 08-00661](#)

City of Buellton - Approve the request of the City of Buellton to call and give notice of the holding of a special election to be held consolidated with the General Election to be held on Tuesday, November 4, 2008 for the submission to the qualified voters of the question: "Should the Buellton general plan be amended, until December 31, 2025, to prohibit (with limited exceptions) changes to existing city limits or the provision of water or sewer services beyond the existing city limits of Buellton, except by another initiative election?"

(APPROVE AND REFER TO THE COUNTY CLERK-RECORDER-ASSESSOR)

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

A-5) COMMUNICATIONS FOR REFERRAL [File Reference No. 08-00660](#)

Cold Spring School District - Approve the request of Cold Spring School District ordering an election for November 4, 2008 for the purpose of raising funds to finance school facilities and property of the District by the issuance of \$2,440,000 in bonds, and requesting consolidation with other elections occurring on November 2, 2008.

(APPROVE AND REFER TO THE COUNTY CLERK-RECORDER-ASSESSOR)

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

A-6) COMMUNICATIONS FOR REFERRAL [File Reference No. 08-00664](#)

City of Santa Barbara - Approve the requests of the City of Santa Barbara, as follow:

- a) Call and give notice of the holding of a special municipal election to be held on November 4, 2008;
and
- b) Submission of a proposed ordinance to the voters in order to reduce and modernize the city's existing utility users tax ordinance (Santa Barbara Municipal Code Chapter 4.24) with respect to utility taxes on telecommunications and video services; and
- c) Consolidate the special municipal election with the Presidential general election to be held on November 4, 2008.

(APPROVE AND REFER TO THE COUNTY CLERK-RECORDER-ASSESSOR)

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

- a) through c) Approved. Referred to the County Clerk-Recorder-Assessor.**

The motion carried unanimously.

A-7) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES

[File Reference No. 08-00659](#)

Adopt a resolution effective June 30, 2008 reallocating positions between departments consistent with actions taken by the Board during the 2008-09 budget hearings.

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

RESOLUTION NO. 08-260

The motion carried unanimously.

A-8) GENERAL SERVICES[File Reference No. 08-00653](#)

Consider recommendations regarding the Emergency Shelter Care Lease with Andre Aparicio, 377 Storke Road, Goleta, Third District, as follows:

- a) Determine that the services provided by Andre Aparicio are necessary to meet the social needs of the County, and that Andre Aparicio therefore qualifies for a rent subsidy pursuant to Government Code §26227;
- b) Determine that the County-owned property located at 377 Storke Road, in Goleta, will not be needed for County purposes for the next few years; and
- c) Approve and authorize the Chair to execute the proposed Lease Agreement granting Andre Aparicio the right to lease the above referenced county-owned property for the purpose of providing emergency shelter care services for abused, neglected and abandoned children, for a term of one year commencing on July 8, 2008 through June 30, 2009, and renewed annually concurrent with the Agreement For Services of Independent Contractor (Emergency Shelter Care Services) dated July 7, 2008, at a below fair market rent amount of \$250 per month.

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

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

The motion carried unanimously.

A-9) GENERAL SERVICES[File Reference No. 08-00654](#)

Consider recommendations regarding the Clerk Recorder Assessor Election Records Storage Building, Project No. 8648 Approval of Plans & Specifications, CEQA Exemption, and Authorization to Bid, Third District, as follows:

- a) Approve the plans and specifications for the Clerk Recorder Assessor Election Records Storage Building at the Calle Real Maintenance Campus. The estimated construction cost is \$648,000;
- b) Approve the Categorical Exemption pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the Clerk Recorder Assessor Election Records Storage Building at the Calle Real Maintenance Campus.; and
- c) Authorize the Director of General Services to advertise for construction bids for the Clerk Recorder Assessor Election Records Storage Building at the Calle Real Maintenance Campus.

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

- a) and b) **Approved.**
- c) **Authorized.**

The motion carried unanimously.

A-10) GENERAL SERVICES[File Reference No. 08-00655](#)

Consider recommendations regarding an Award of Contract to Los Angeles Air Conditioning (not a local vendor) for Administration Building Chiller Replacement Project No. F01005, as follows:

- a) Approve the plans and project specifications for the Santa Barbara County Administration Building Chiller Replacement Project No. F01005;
- b) Approve and authorize the Chair to execute the award of a contract to Los Angeles Air Conditioning for the replacement of the Santa Barbara County Administration Building Chiller in the amount of \$ 2,079,000 dollars; and
- c) Authorize the Director of General Services to approve change orders of an amount not to exceed 10% of a base amount of \$250,000 plus 5% of the bid in excess of the base amount or \$116,450.00 for this contract.

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

- a) **Approved.**
- b) **Approved; Chair to execute.**
- c) **Authorized.**

The motion carried unanimously.

A-11) PARKS[File Reference No. 08-00638](#)

Approve and authorize the Chair to execute an amendment to the existing license agreement between the City of Santa Barbara and the County of Santa Barbara for the installation, use, maintenance, and removal of public art installations in the 600 to 1200 blocks of State Street in Santa Barbara to extend the agreement to June 30, 2013, First District.

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

A-12) PLANNING AND DEVELOPMENT[File Reference No. 08-00641](#)

Consider Case No. 08AGP-00000-00006, Diamond Agricultural Preserve, for nonrenewal by the landowner of an existing agricultural preserve contract, Fifth District, as follows:

- a) Accept the request for nonrenewal of Agricultural Preserve 73-AP-11; and
- b) Authorize the Chair to execute the Notice of Nonrenewal by the County Land Conservation Contract for Assessor's Parcel No. 128-020-008, -009, located approximately 1 mile northeast of the intersection of Orcutt-Garey and Dominion Roads, in the Santa Maria area.

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

- a) **Accepted.**
- b) **Authorized; Chair to execute.**

The motion carried unanimously.

- A-13) PLANNING AND DEVELOPMENT [File Reference No. 08-00646](#)
- Approve and authorize the Chair to execute an agricultural preserve replacement contract with Mr. and Mrs. Victor and RoseMary Diamond, 08AGP-00000-00007, replacing a portion of the original Agricultural Preserve 73-AP-011. The replacement contract involves Assessor's Parcel number 129-020-008, located approximately 1 mile northeast of the intersection of Orcutt-Garey and Dominion Roads, in the Santa Maria area, Fifth District.
- A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Approved; Chair to Execute. The motion carried unanimously.**
- A-14) PLANNING AND DEVELOPMENT [File Reference No. 08-00643](#)
- Approve and authorize the Chair to execute an agricultural preserve replacement contract with Santa Rita Ridge Estates LLC, 07AGP-00000-00014, replacing a portion of the original Agricultural Preserve 70-AP-114B. The replacement contract involves Assessor's Parcel numbers 099-110-054 (portion of) and 099-160-030 (portion of) located southwest of the intersection of Campbell Road and Highway 246, in the Lompoc area, Fourth District.
- A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Approved; Chair to Execute. The motion carried unanimously.**
- A-15) PLANNING AND DEVELOPMENT [File Reference No. 08-00644](#)
- Approve and authorize the Chair to execute an agricultural preserve replacement contract with Santa Rita Ridge Estates LLC, 07AGP-00000-00016, replacing a portion of the original Agricultural Preserve 70-AP-114B. The replacement contract involves Assessor's Parcel numbers 099-110-054 (portion of), 099-160-030 (portion of) and 099-180-002 (portion of) located southwest of the intersection of Campbell Road and Highway 246, in the Lompoc area, Fourth District.
- A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Approved; Chair to Execute. The motion carried unanimously.**
- A-16) PLANNING AND DEVELOPMENT [File Reference No. 08-00645](#)
- Approve and authorize the Chair to execute an agricultural preserve replacement contract with Santa Rita Ridge Estates LLC, 07AGP-00000-00021, replacing a portion of the original Agricultural Preserve 70-AP-114B. The replacement contract involves Assessor's Parcel number 099-160-030 (portion of) located southwest of the intersection of Campbell Road and Highway 246, in the Lompoc area, Fourth District.
- A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Approved; Chair to Execute. The motion carried unanimously.**
- A-17) PLANNING AND DEVELOPMENT [File Reference No. 08-00652](#)
- Approve and authorize the Chair to execute an agricultural preserve replacement contract with Santa Rita Ridge Estates LLC, 07AGP-00000-00015, replacing a portion of the original Agricultural Preserve 70-AP-114B. The replacement contract involves Assessor's Parcel numbers 099-110-054 (portion of) and 099-160-030 (portion of) located southwest of the intersection of Campbell Road and Highway 246, in the Lompoc area, Fourth District.
- A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Approved; Chair to Execute. The motion carried unanimously.**

A-18) PUBLIC WORKS and BOARD OF DIRECTORS, LAGUNA COUNTY SANITATION DISTRICT [File Reference No. 08-00634](#)

Accept a permanent Easement Deed from Lynn Simonsen in the Hummel Village II, LLC, by authorizing the Clerk of the Board to execute the Certificate of Acceptance attached to the Permanent Easement deed regarding the sewer main, Fourth District.

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

A-19) PUBLIC WORKS [File Reference No. 08-00648](#)

Consider recommendations regarding the Sandyland Seawall Repair, Design and Permitting Contract, County Project No. 720548, First District, as follows:

a) Authorize the Purchasing Agent to amend Contract No. CN06261 with Moffat and Nichol Inc. (not a local vendor), Long Beach, California, for design and permitting services from \$93,550 to \$160,601 for the Sandyland Seawall Repair Project; and

b) Authorize the Director of Public Works to approve further amendments to the contract for supplemental work up to \$6,705.

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

a) and b) Authorized.

The motion carried unanimously.

A-20) PUBLIC WORKS and BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSERVATION DISTRICT [File Reference No. 08-00649](#)

Consider recommendations regarding the Gobernador Debris Basin Modification Project Award, First District, as follows:

- a) Award the construction contract for the Gobernador Debris Basin Modification Project in the amount of \$830,457.50 to the lowest responsible bidder Shaw Excavating and Grading (not a local vendor), subject to the provisions of documents and certifications, as set forth in the plans and specification applicable to the project and as required by law;
- b) Approve and authorize the Chair to execute the construction contract upon return of the contractor's executed contract documents, and the review and approval of the County Counsel, Auditor-Controller, and Risk Manager or their authorized representatives;
- c) Approve a contingency in the amount of \$54,022.88 for the above subject project;
- d) Approve plans and specifications for the project; and
- e) Adopt the Resolution entitled "In the Matter of Approving the Gobernador Debris Basin Modification Project to receive Grants Funding from California Department of Fish and Game".

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

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

RESOLUTION NO. 08-261

The motion carried unanimously.

A-21) SOCIAL SERVICES [File Reference No. 08-00632](#)

Consider the recommendations regarding the appointment of members to the In-Home Supportive Services Advisory Committee, as follows:

- a) Approve the appointment of Kathleen Riel as a member of the In-Home Supportive Services Advisory Committee for a three year term, effective July 1, 2008, and
- b) Approve the reappoint Joanne Craig Bowman, Stephen Day, Karen Johnson, Clara Ehram, Joyce Ellen Lippman, and Brian Carroll to three year terms on the In-Home Supportive Services Advisory Committee effective July 1, 2008.

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

- a) **and b) Approved.**

The motion carried unanimously.

Board of Supervisors

- A-22) SUPERVISOR GRAY [File Reference No. 08-00631](#)
Approve the appointment of Tracey S. Taylor to the Santa Barbara County Mental Health Commission as an alternate for a term ending July 1, 2011, Fourth District.
A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Approved. The motion carried unanimously.
- A-23) SUPERVISOR WOLF [File Reference No. 08-00636](#)
Approve the reappointment of Barbara H. Burger to the Arts Commission for a term ending June 20, 2011, Second District.
A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Approved. The motion carried unanimously.
- A-24) SUPERVISOR WOLF [File Reference No. 08-00637](#)
Approve the reappointment of Sarah Haviland Blackmun to the Human Services Commission for a term ending June 30, 2011, Second District.
A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Approved. The motion carried unanimously.

Hearing Requests

- A-25) HOUSING AND COMMUNITY DEVELOPMENT [File Reference No. 08-00657](#)
Set hearing to consider recommendations regarding a Special Tax Levy for Orcutt Community Facilities District, Fourth District, as follows:

a) Receive Summary of Proposed Fiscal Year 2008-2009 Tax Levy for Orcutt Community Facilities District No. 2002-1; and

b) Adopt a Resolution Levying Special Taxes within the County of Santa Barbara Community Facilities District No. 2002-1.
A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: July 15, 2008 in Santa Barbara (EST. TIME: 15 MIN.) The motion carried unanimously.
- A-26) PARKS [File Reference No. 08-00656](#)
Set hearing to consider recommendations regarding a Special Tax Levy for Providence Landing Community Facilities District, Third District, as follows:

a) Receive Summary of Proposed Fiscal Year 2008-09 Tax Levy for Providence Landing Community Facilities District No. 2004-1; and

b) Adopt a Resolution Levying Special Taxes within the County of Santa Barbara Community Facilities District No. 2004-1, Providence Landing.
A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: July 15, 2008 in Santa Barbara (EST. TIME: 15 MIN.) The motion carried unanimously.

- A-27) PLANNING AND DEVELOPMENT [File Reference No. 08-00639](#)
- Set hearing to consider the Bell Appeal, Case No. 08APL-00000-00021, of the County Planning Commission's approval of the Tranquillon Ridge Oil and Gas Development Project, Case No. 06RVP-00000-00001.
- A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: August 19, 2008 in Santa Barbara (EST. TIME: 60 MIN.) The motion carried unanimously.**
- A-28) PLANNING AND DEVELOPMENT [File Reference No. 08-00640](#)
- Set hearing to consider the Vaquero Energy, Inc. Appeal, Case No. 08APL-00000-00020, of the County Planning Commission's approval of the Tranquillon Ridge Oil and Gas Development Project, Case No. 06RVP-00000-00001.
- A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: August 19, 2008 in Santa Barbara (EST. TIME: 60 MIN.) The motion carried unanimously.**
- A-29) PLANNING AND DEVELOPMENT [File Reference No. 08-00650](#)
- Set hearing to consider the ExxonMobil Exploration Company/Sunset Exploration, Inc. Appeal, Case No. 08APL-00000-00019, of the County Planning Commission's approval of the Tranquillon Ridge Oil and Gas Development Project, Case No. 06RVP-00000-00001.
- A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: August 19, 2008 in Santa Barbara (EST. TIME: 120 MIN.) The motion carried unanimously.**
- A-30) PLANNING AND DEVELOPMENT [File Reference No. 08-00647](#)
- Set hearing to consider grant(s) for acquiring the Gaviota Village property, Third District, as follows:
- a) Approve grant awards from the Coastal Resource Enhancement Fund (CREF) for the fiscal year of 2008-2009 and monies from the Coastal Impact Assistance Program of 2001(CIAP 2001) to acquire 43 acres, known as the Gaviota Village property, along the Gaviota Coast; and
 - b) Direct staff to return on the Administrative Agenda to execute a contractual agreement with the Trust for Public Land, to purchase the Gaviota Village property.
- A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: July 15, 2008 in Santa Barbara (EST. TIME: 15 MIN.) The motion carried unanimously.**

A-31) PLANNING AND DEVELOPMENT[File Reference No. 08-00651](#)

Set hearing to consider recommendations regarding the Development Code ordinance amendments regarding overall sign plans, ridgeline/hillside development, small additions, special care homes, and temporary sales offices, as follows:

- a) Adopt findings for approval of the proposed ordinances;
- b) Find that the adoption of these ordinances are categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for Implementation of CEQA;
- c) Adopt an Ordinance (Case No. 08ORD-00000-00006) amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code; and
- d) Adopt an Ordinance (Case No. 08ORD-00000-00007) amending Section 35-2, the Santa Barbara County Montecito Land Use and Development Code, of Chapter 35, Zoning, of the County Code.

A motion was made by Supervisor Wolf, seconded by Supervisor Firestone, that this matter be Set for a hearing, as follows: July 15, 2008 in Santa Barbara (EST. TIME: 30 MIN.) The motion carried unanimously.

A-32) SUPERVISOR CENTENO[File Reference No. 08-00667](#)

Approve the appointment of Coleman Lucas to the Santa Maria Cemetery District for the term ending December 31, 2009, Fifth District.

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

Approval of Administrative Agenda

HEARING TIME: 9:27 A.M. - 9:48 A.M. (21 MIN.)

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

File Reference No. 08-00001

Public Comment

HEARING TIME: 9:53 A.M. - 10:37 A.M. (44 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: AB2686 State Legislation - Bob Fields Addressed the Board.

RE: ADMHS Contract and 2008/2009 Budget Issues - Catherine Birtalan, J.T. Turner, Anna Campbell and Jim Pie Kar Ski Addressed the Board.

RE: Invocation - Sister Janet Corcoran Addressed the Board.

RE: Gaviota Coast Special Hearing - Andy Caldwell Addressed the Board.

RE: Legislative Committee to Review AB2686 and Return to the Board and recommendations - First District Supervisor Salud Carbajal Addressed the Board.

RE: Request for Future Agenda Item Regarding Access Plan for Point Sal Reserve / Study Possible Homeowners and Housing Project Team - Fourth District Supervisor Joni Gray Addressed the Board.

RE: County, State and Federal Budget Predictions Suggest Recruitment of Public Financial Consultant to Assistant County Executive Office in Future Financial Planning of the County - Third District Supervisor Brooks Firestone Addressed the Board.

RE: Mello Roos Requirements in the County - Fifth District Supervisor Joe Centeno Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

1) PUBLIC WORKS[File Reference No. 08-00548](#)

HEARING - Consider recommendations regarding a progress report on the Agricultural Worker Transportation Program, County Project No. 830713, Fourth and Fifth Districts, as follows: (EST. TIME: 45 MIN.)

- a) Receive a progress report from Public Works staff regarding the County's Agricultural Worker Transportation Program; and
- b) Approve and authorize the Chair to execute Amendment No. 1, for time extension and fee schedule amendments to the existing agreement with the Santa Maria Organization of Transportation Helpers for Agricultural Worker Transportation Program services in the Santa Maria Valley.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 10:45 A.M. 12:08 P.M. (83 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) Received and filed.

b) Approved; Chair to execute.

Directed staff that program should be cost/self funded by 2010 (with no cost to the County). The motion carried by the following vote:

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

Noes: 1 - Supervisor Firestone

2) PUBLIC WORKS[File Reference No. 08-00571](#)

HEARING - Consider recommendations regarding the Baseline Avenue Utility Undergrounding District between Alamo Pintado Road and Lewis Street in Ballard, Third District, as follows: (EST. TIME: 10 MIN.)

- a) Consider reforming the utility undergrounding district; and
- b) Adopt a resolution recreating the utility undergrounding district.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 12:09P.M. - 12:10 P.M. (1 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) Approved.

b) Adopted.

RESOLUTION NO. 08-262

The motion carried unanimously.

3) COUNTY EXECUTIVE OFFICE[File Reference No. 08-00511](#)

HEARING - Consider recommendations regarding the Annexation of Evergreen Shopping Center into the Orcutt Community Facilities District (No. 2002-1) and levy special taxes on the proposed parcel to be annexed, Fourth District, as follows: (EST. TIME: 30 MIN.)

- a) Receive testimony regarding written protests that have been filed, if any;
- b) Certify the results of a special election and adopt a Resolution Declaring Results of Special Election and Directing Recording of Notice of Special Tax Lien;
- c) Consider the introduction (First Reading) of an Ordinance entitled "An Ordinance of the Board of Supervisors of the County of Santa Barbara Approving Annexation of Territory to Orcutt Community Facilities District (No. 2002-1) and Authorizing the Levy of Special Taxes Therein.";
- d) Set hearing on July 15, 2008 to consider the adoption (Second Reading) of an Ordinance entitled "An Ordinance of the Board of Supervisors of the County of Santa Barbara Approving Annexation of Territory to Orcutt Community Facilities District (No. 2002-1) and Authorizing the Levy of Special Taxes Therein."

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 1:20 P.M. - 1:44 P.M. (24 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Centeno, that this matter be Continued, as follows: Continued to July 15, 2008 in Santa Barbara.

Further directed County Counsel to return to the Board and report on exclusion procedures (if feasible) for this project from the annexation process.

The motion carried unanimously.

4) COUNTY EXECUTIVE OFFICE[File Reference No. 07-01220](#)

HEARING - Consider recommendations regarding onshore oil facilities update, as follows: (EST. TIME: 1 HR.)

- a) Receive a staff report on the status of the onshore facilities program; and
- b) Receive an update on the five recommendations concerning potential new ordinances and staff practices adopted by the Board of Supervisors on January 15, 2008.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

HEARING TIME: 1:45 P.M. - 2:48 P.M. (63 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) and b) Received.

Directed staff to return on September 9, 2008 with draft ordinance language regarding repeat offenders, cost recovery and high risk offenders, to be implemented by the County immediately.

The motion carried by the following vote:

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

Abstentions: 1 - Supervisor Firestone

5) PLANNING AND DEVELOPMENT[File Reference No. 08-00594](#)

HEARING - Consider recommendations regarding the Rice Agricultural Produce Cooling and Processing Facility, located at the intersection of Betteravia Road and Rosemary Road, in the Santa Maria Valley Area, Fifth District, as follows: (EST. TIME: 1 HR.)

- a) Adopt the required findings for the project specified in the Planning Commission Staff Report dated April 25, 2008, including CEQA findings;
- b) Approve Accept the Addendum to the Uniform Rules Environmental Impact Report (04- EIR-08) pursuant to the State Guidelines for Implementation of the California Environmental Quality Act. The original ER identified significant effects on the environment in the following categories: Aesthetics, Agricultural Resources/Land Use, Air Quality, Groundwater, Noise, and Traffic/Circulation. The application involves AP No. 128-096-001, -004, and -005 as specified in the Planning Commission Staff Report dated April 25, 2008, as amended by the Planning Commission during its regular meeting of May 14, 2008;
- c) Approve Adopt the Zoning Map Amendment O6RZN-00000-00005 to change the existing zoning designation for the 244.4 acres gross, 237.8 acres net, site commonly known as APN numbers 128-096-001, 128-096-004, and 128-096-005 from the AG-II-100 (Agriculture with 100 acre minimum parcel size) zone district to the AG-II-40 (Agriculture with 40 acre minimum parcel size) zone district; and the associated Zoning Map Amendment Ordinance;
- d) Approve the Tentative Parcel Map O6TPM-00000-00019 in accordance with County Code Chapter 21 to subdivide an existing 244.4 acres gross, 237.8 acres net, site commonly know as APN numbers 128-096-00 1, 128-096-004, and 128-096-005 into three separate legal parcels ranging from 40.0 acres gross to 122.8 acres gross subject to the conditions specified in the Planning Commission Staff Report dated April 25, 2008, as amended by the Planning Commission during its regular meeting of May 14, 2008;
- e) Approve the Development Plan O6DVP-00000-00009 to allow the construction of a 27-acre produce cooling and processing facility in compliance with Section 35.82.080 of the County Land Use and Development Code subject to the conditions specified in the Planning Commission Staff Report dated April 25, 2008, as amended by the Planning Commission during its regular meeting of May 14, 2008;
- f) Approve the Major Conditional Use Permit O6CUP-00000-00043 to allow the construction of an agricultural processing facility within the AG-II zone district, in compliance with Section 35.82.060 of the County Land Use and Development Code subject to the conditions specified in the Planning Commission Staff Report dated April 25, 2008, as amended by the Planning Commission during its regular meeting of May 14, 2008; or
- g) Refer back to staff if the Board of Supervisors takes other than the recommended action.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 2:50 P.M. - 4:15 P.M. (85 MIN.)

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

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

a) Adopted.

b) Accepted.

c) Adopted.

ORDINANCE NO. 4679

d) Approved, as revised by amending the Public Works letter (Condition 13(e)) to reduce applicant's share of the left-turn lane on Betteravia Road to 54%.

e) Approved, as revised by amending the Public Works letter (Condition 20(e)) to reduce applicant's share of the left-ture land on Betteravia Road to 54%.

f) Approved, as amended by staff memo dated July 8, 2008 and as revised by amending the Public Works letter (Condition 5(e)) to reduce applicant's share of the left-turn lane on Betteravia Road to 54%.

g) Request applicant return to NBAR to review the landscaping and consider whether birds drawn to the landscaping will harm the facility or the adjacent agricultural operations.

The motion carried by the following vote:

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

Noes: 2 - Supervisor Carbajal and Supervisor Wolf

6) PLANNING AND DEVELOPMENT[File Reference No. 08-00595](#)

HEARING - Consider the Orcutt Area Advisory Group Appeal (Case No. 08APL-00000-00016) of the County Planning Commission's April 9, 2008 approval of the Orcutt Marketplace project (Case No.'s TM 14,734; Village O6DVP-00000-00008; O7CUP-00000-00059; O7CUP- 00000-00060; O7CUP-00000-00061; O7CUP-00000-00062; O7CUP-00000-00063). The project site is located at the corner of Clark Avenue and U.S. Highway 101 (AP No. 129-120-024) in the Orcutt area, Fourth District, as follows: (EST. TIME: 2 HRS.)

- a) Adopt the required findings for the project specified in the Planning Commission action letter dated April 15, 2008;
- b) Accept the Addendum to 95-EIR-01 and adopt the mitigation monitoring program contained in the conditions of approval pursuant to CEQA Guidelines Section 15303 contained in Attachment I of the Planning Commission staff report dated March 28, 2008;
- c) Deny the appeal, 08APL-00000-00016, thereby upholding the Planning Commission's approval of TM 14,734; 06DVP-00000-00008; 07CUP-00000-00059; 07CUP-00000-00060; 07CUP-00000-00061; 07CUP-00000-00062; and, 07CUP-00000-00063; and
- d) Grant de novo approval of Case No.'s TM 14,734; 06DVP-00000-00008; 07CUP-00000-00059; 07CUP-00000-00060; 07CUP-00000-00061; 07CUP-00000-00062; and 07CUP-00000-00063 subject to the findings specified in the Planning Commission action letter and attachments dated April 15, 2008.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

HEARING TIME: 4:16 P.M. - 4:17 P.M. (1 MIN.)

A motion was made by Supervisor Gray, seconded by Supervisor Firestone, that this matter be Withdrawn from the agenda. The motion carried unanimously.

7) COUNTY EXECUTIVE OFFICE[File Reference No. 08-00658](#)

HEARING - Consider a request from Supervisor Gray to support a waiver of planning and building fees for Halsell Builders, Inc. for a charitable home expansion in the Orcutt community area, Fourth District. (4/5 Vote Required) (EST. TIME: 30 MIN.)

HEARING TIME: 4:18 P.M. - 4:28 P.M. (10 MIN.)

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

Directed Halsell Builders, Inc. to return with evidence of financial need to support a waiver of fees.

Continued to July 15, 2008 in Santa Barbara (EST. TIME: 30 MIN.)

The motion carried by the following vote:

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

Noes: 2 - Supervisor Carbajal and Supervisor Wolf

Adjourned at 4:40 PM

Fourth District Supervisor Joni Gray reminded everyone that the Santa Maria Fair begins on Wednesday, July 9, 2008.

Adjourned to

Announcements

The meeting of Tuesday, July 8, 2008, will be telecast live on County of Santa Barbara TV channel 20 at 9:00 AM, and will be rebroadcast on Thursday, July 10, 2008, at 5:00 PM on CSBTV Channel 20.

THE BOARD OF SUPERVISORS WILL NOT MEET ON THE FOLLOWING DATES: TUESDAY, JULY 22, 2008, TUESDAY, JULY 29, 2008 (THIS IS A FIFTH TUESDAY ORDINANCE NO. 3352), TUESDAY, AUGUST 5, 2008 AND TUESDAY, AUGUST 12, 2008.

THE NEXT REGULAR BOARD OF SUPERVISORS HEARING WILL BE HELD TUESDAY AUGUST 19, 2008, IN SANTA BARBARA.

<http://www.countyofsb.org>