
ACTION SUMMARY

December 16, 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

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CONVENED AT 9:19 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. 09-00014](#)

Closed Session Agenda

No reportable action taken.

Approval of Minutes of the December 9, 2008 Meeting

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

Administrative Agenda

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Resolutions to be Presented at 9:15 A.M.

A-1) SUPERVISOR CARBAJAL [File Reference No. 08-01114](#)

Adopt a Resolution of Commendation honoring Dennis Grindell of the District Attorney's Office as the December 2008 Santa Barbara County Employee of the Month.

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

RESOLUTION NO. 08-419

The motion carried unanimously.

A-2) SUPERVISOR GRAY [File Reference No. 08-01135](#)

Adopt a Resolution honoring Joe and Margie Talaugon of Guadalupe as the recipients of the Santa Barbara County Arts Commission Leadership in the Arts Award for 2008.

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

RESOLUTION NO. 08-420

The motion carried unanimously.

Administrative Items

A-3) AGRICULTURAL COMMISSIONER [File Reference No. 08-01118](#)

Consider recommendations regarding the Approval of an Application for Prop 84 Urban Streams Restoration Grant Program to conduct Santa Ynez River Tamarisk and Arundo Project, Third District, as follows:

a) Adopt a Resolution approving the joint application with La Purisima Audubon Society for an Urban Stream Restoration Program grant; and

b) Authorize the Agricultural Commissioner to execute an agreement with the California Department of Water Resources for the Urban Stream Restoration Program and the Agricultural Program Specialist to act as Project Manager for this project.

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

a) Adopted.

RESOLUTION NO. 08-421

b) Authorized.

The motion carried unanimously.

A-4) AGRICULTURAL COMMISSIONER[File Reference No. 08-01119](#)

Consider recommendations to approve the application for Prop 84 River Parkways Grant Program to conduct Santa Ynez River Tamarisk and Arundo Project, Third District, as follows:

a) Adopt a Resolution approving the application for grant funds for the California River Parkways Grant Program under the Safe Drinking Water, Water Quality and Supply, Control, River and Coastal Protection Bond Act of 2006 (Proposition 84), as follows:

i) Approve the filing of an application for the Santa Ynez River Tamarisk and Arundo Project;

ii) Certify that the County understands the assurances and certification in the application;

iii) Certify that the County will have sufficient funds to operate and maintain the project;

iv) Certify that the County will comply with all provisions of Section 1771.5 of the California Labor Code;

v) Certify that the project will comply with any laws and regulations including, but not limited to, the California Environmental Quality Act, and that prior to commencement, all applicable permits will have been obtained; and

b) Authorize the Agricultural Commissioner, if offered a grant, to execute an agreement and designate the Agricultural Program Specialist as the Program Manager.

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

a) Adopted.

RESOLUTION NO. 08-422

b) Authorized.

The motion carried unanimously.

A-5) ALCOHOL, DRUG AND MENTAL HEALTH SERVICES [File Reference No. 08-01121](#)

Consider recommendations regarding a Contractor on Payroll Agreement with Peter Tilton, MD, as follows:

a) Approve and authorize the Chair to execute a Contractor on Payroll Agreement with Peter Tilton, MD to provide psychiatric services to clients with mental illness increasing an existing contract CN08625 by \$30,548 for a new contract maximum in the amount of \$55,188 through March 8, 2009; and

b) Authorize the Director of ADMHS to approve amendments to the proposed contract, provided that any such amendments do not exceed ten percent (10%) of the contract's dollar amount.

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

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

b) **Authorized.**

The motion carried unanimously.

A-6) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01140](#)

Approve and authorize the Chair to execute a Contract with Thomas Walters and Associates, Inc. for federal advocacy services for the three year period of December 29, 2008 through December 31, 2011, for an amount not to exceed \$275,000.

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

A-7) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01134](#)

Approve the County Executive Officer's recommended grant applications for fire and law enforcement services and authorize the County Executive Office to submit applications to the Santa Ynez Band of Chumash Indians for funding consideration.

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

A-8) COUNTY EXECUTIVE OFFICE: HUMAN RESOURCES [File Reference No. 08-01136](#)

Receive and file the Annual Report of the Civil Service Commission for Fiscal Year 2007 - 2008.

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

A-9) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01137](#)

Amend the 2008 Board of Supervisors' schedule of meeting dates and locations to add a regular meeting for Tuesday December 23, 2008 in Santa Barbara.

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

A-10) FIRE [File Reference No. 08-01139](#)

Consider recommendations regarding the Request for Waiver of Competition in Purchase of Specialized Fire Vehicles, as follows:

- a) Approve the sole source vendor request for the Fire Department's purchase of one (1) Type III engine, brush truck, in an amount not to exceed \$275,000 from West-Mark (not a local vendor); and
- b) Approve the sole source vendor request for the Fire Department's purchase of one (1) air/lighting vehicle in an amount not to exceed \$365,000 and two (2) water tenders in an amount not to exceed \$450,000 from Pierce Manufacturing Inc. (not a local vendor).

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

a) and b) Approved.

The motion carried unanimously.

A-11) LOCAL AGENCY FORMATION COMMISSION [File Reference No. 08-01120](#)

Adopt a Resolution directing County Elections staff to conduct a confirmation election on forming the Santa Rita Hills Community Services District (CSD) subject to the terms and conditions set forth in the LAFCO Resolution approving this proceeding.

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

RESOLUTION NO. 08-423

The motion carried unanimously.

A-12) PARKS [File Reference No. 08-01108](#)

Consider recommendations regarding the extension of an Agreement to operate Lake Cachuma Park with the United States Department of the Interior Bureau of Reclamation, Third District, as follows:

- a) Accept the extension to Contract No. 14-06-200-600, between the County of Santa Barbara and the United States Department of the Interior Bureau of Reclamation to continue to administer the Lake Cachuma Recreation Area for the period of January 12, 2009 to January 12, 2011;
- b) Approve and authorize the Chair to execute the December 3, 2008 Bureau of Reclamation letter, indicating acceptance, and simultaneously transmit the letter from the County, accepting the terms and conditions, to the Bureau of Reclamation; and
- c) Approve the Notice of Exemption pursuant to the County's California Environmental Quality (CEQA) guidelines.

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

a) Accepted.

b) Approved; Chair to execute.

c) Approved.

The motion carried unanimously.

A-13) PLANNING AND DEVELOPMENT

[File Reference No. 08-01043](#)

Approve and authorize the Chair to execute a contract for professional planning services with Thomas Figg relative to case processing of the Naples/Santa Barbara Ranch Project. The contract would increase funding for the Santa Barbara Ranch Project by \$100,000, for a total not-to-exceed amount of \$200,000, as well as the term would run through December 31, 2009.

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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. 08-01117](#)

Consider recommendations regarding the Montecito Growth Management Ordinance (MGMO) Annual Director's Report, as follows:

a) Review the Planning & Development Director's annual report regarding the health and safety findings relative to continuing the Montecito Growth Management Ordinance No. 3916 (MGMO); and

b) Determine that the public health and safety continues to be jeopardized by residential construction such that the MGMO will remain in effect.

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

a) and b) Approved.

The motion carried unanimously.

A-15) PLANNING AND DEVELOPMENT

[File Reference No. 08-01126](#)

Approve and authorize the Chair to execute an agricultural preserve replacement contract with Circle G, LLC for new contract 08AGP-00000-00011, replacing a portion of the original Agricultural Preserve 93-AP-011. The replacement contract involves Assessor's Parcel No. 155-200-081 and 155-200-082, located approximately 3,300 feet north of the intersection of Casitas Pass Road and Lilington Canyon Road, in the Carpinteria area, First District.

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

A-16) PLANNING AND DEVELOPMENT

[File Reference No. 08-01127](#)

Approve and authorize the Chair to execute an agricultural preserve replacement contract with Circle G, LLC for new contract 08AGP-00000-00012, replacing a portion of the original Agricultural Preserve 93-AP-011. The replacement contract involves Assessor's Parcel No. 155-200-084, 001-030-034, and 001-030-036, located approximately 1,300 feet northwest of the intersection of Casitas Pass Road and Lilington Canyon Road, in the Carpinteria area, First District.

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

A-17) PLANNING AND DEVELOPMENT[File Reference No. 08-01128](#)

Receive and file a report on Emergency Permit 08EMP-00000-00007, for the Salentine Slope Repair Project, authorizing work to commence on APN 077-030-025, Second District.

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

A-18) PLANNING AND DEVELOPMENT[File Reference No. 08-01130](#)

Approve and authorize the Chair to execute an agricultural preserve replacement contract with Ortega Ridge Properties, Ltd. for new contract 08AGP-00000-00037, replacing the original Agricultural Preserve 75-AP-012. The replacement contract involves Assessor's Parcel No. 005-080-017, located at 370 Ortega Ridge Road in the Summerland area, First District.

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

A-19) PUBLIC HEALTH[File Reference No. 08-01123](#)

Consider recommendations regarding the renewal of Base Hospital / Receiving Hospital (BH/RH) agreements with five hospitals in Santa Barbara County, as follows:

a) Approve and authorize the Chair to execute agreement with Marian Medical Center to continue to be designated as a Base Hospital / Receiving Hospital and to continue to provide medical direction of pre-hospital emergency medical care and to receive patients through the emergency medical services system for the period January 1, 2009 through December 31, 2009 and to renew from year to each January 1, for an additional year unless cancelled by either party;

b) Approve and authorize the Chair to execute agreement with Lompoc Valley Medical Center to continue to be designated as a Base Hospital / Receiving Hospital and to continue to provide medical direction of pre-hospital emergency medical care and to receive patients through the emergency medical services system for the period January 1, 2009 through December 31, 2009 and to renew from year to each January 1, for an additional year unless cancelled by either party;

c) Approve and authorize the Chair to execute agreement with Santa Ynez Valley Cottage Hospital to continue to be designated as a Base Hospital / Receiving Hospital and to continue to provide medical direction of pre-hospital emergency medical care and to receive patients through the emergency medical services system for the period January 1, 2009 through December 31, 2009 and to renew from year to each January 1, for an additional year unless cancelled by either party;

d) Approve and authorize the Chair to execute agreement with Goleta Valley Cottage Hospital to continue to be designated as a Base Hospital / Receiving Hospital and to continue to provide medical direction of pre-hospital emergency medical care and to receive patients through the emergency medical services system for the period January 1, 2009 through December 31, 2009 and to renew from year to each January 1, for an additional year unless cancelled by either party; and

e) Approve and authorize the Chair to execute agreement with Santa Barbara Cottage Hospital to continue to be designated as a Base Hospital / Receiving Hospital and to continue to provide medical direction of pre-hospital emergency medical care and to receive patients through the emergency medical services system for the period January 1, 2009 through December 31, 2009 and to renew from year to each January 1, for an additional year unless cancelled by either party.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Approved; Chair to Execute

a) through e) Approved; Chair to execute.

The motion carried unanimously.

A-20) PUBLIC HEALTH[File Reference No. 08-01124](#)

Approve and authorize the Public Health Department to include monthly operating expense costs in the executed five-year lease agreement between the County of Santa Barbara and Pacific Medical Buildings Santa Maria, LLC for the Santa Maria Women's Health Center located at 116 South Palisades Drive in the amount of \$5,447.04 per month for the lease term, March 1, 2008 to February 28, 2013, for a total amount of \$326,822.40. Annual increases are based on the County's percentage share of total operating expenses and property taxes.

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

A-21) PUBLIC HEALTH[File Reference No. 08-01125](#)

Consider recommendations regarding the Grants for Public Health Pandemic and Emergency Preparedness Planning, as follows:

a) Approve and authorize the Public Health Director to execute the 2008-2009 CDC Public Health Emergency Preparedness, State General Fund (GF) Pandemic Influenza, HHS Hospital Preparedness Program Funding Agreement with the California Department of Public Health in an amount not to exceed \$799,042 which includes the following allocations:

Allocation Name	Term	Amount
CDC Base Allocation	8/10/08 - 8/09/09	\$400,786
State GF Pandemic Influenza Allocation	7/01/08 - 6/30/09	\$74,645
HPP Allocation	8/09/08 - 8/08/09	\$323,611; and

b) Authorize the Public Health Director to execute any amendments or future agreements for the CDC Public Health Emergency Preparedness, State General Fund (GF) Pandemic Influenza, and HHS Hospital Preparedness Program Funding Agreement provided that the amendment or agreement does not exceed by ten percent (10%) the \$799,042 agreement amount.

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

a) **Approved.**

b) **Authorized.**

The motion carried unanimously.

A-22) PUBLIC HEALTH[File Reference No. 08-01129](#)

Consider recommendations regarding the Maddy Emergency Medical Services Fund as follows:

a) Adopt a Resolution to maintain the Maddy EMS Fund for Santa Barbara County by continuing to assess fines on alcohol and drug related criminal violations;

b) Adopt a Resolution to provide for additional funding to the Maddy EMS Fund for Santa Barbara County by assessing fines on certain types of criminal violations; and

c) Direct the Emergency Medical Services Agency staff of the Public Health Department to work with other County staff and interested parties to assess options for providing a permanent source of funding for a Maddy EMS Fund in Santa Barbara County.

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

a) **Adopted.**

RESOLUTION NO. 08-424

b) **Adopted.**

RESOLUTION NO. 08-425

c) **Approved.**

The motion carried unanimously.

A-23) PUBLIC HEALTH[File Reference No. 08-01131](#)

Approve and authorize the Chair to execute Amendment No. 3 to the Physician Services Provider Agreement Federally Qualified Health Center or Rural Health Clinic with CenCal Health for payment of established fees for healthcare services rendered to Medi-Cal members that are the responsibility of CenCal extending the term through December 31, 2011.

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

A-24) PUBLIC HEALTH[File Reference No. 08-01132](#)

Consider recommendations regarding Independent Contractor Agreements for Professional Services with Carolyn Griffith, MD and Lester Reffigee, MD, as follows:

a) Approve and authorize the Chair to execute the Agreement with Carolyn Griffith, MD (a local vendor) for professional services for the period January 1, 2009 through June 30, 2010 in an amount not to exceed \$393,485;

b) Approve and authorize the Chair to execute the Agreement with Lester Reffigee, MD (a local vendor) for professional services for the period January 1, 2009 through June 30, 2010 in an amount not to exceed \$400,201; and

c) Authorize the Public Health Director to approve and execute any future agreements or amendments for Carolyn Griffith and Lester Reffigee that do not to exceed 10% of the annual agreement amount.

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

a) and b) Approved; Chair to execute.

c) Authorized.

The motion carried unanimously.

A-25) SOCIAL SERVICES[File Reference No. 08-01122](#)

Consider recommendations regarding the Cuyama Valley Family Resource Center Early Childhood Enrichment Services Program grant, as follows: (4/5 Vote Required)

a) Approve acceptance of a grant awarding \$14,000 from First 5 of Santa Barbara County to the County of Santa Barbara Department of Social Services (DSS) for FY 2008-09 to fund the Cuyama Valley Family Resource Center Early Childhood Enrichment Services Program, and the related contract between DSS and First 5 signed June 25, 2008; and

b) Approve a Budget Revision Request increasing the budget for DSS by \$14,000 for FY 2008-09.

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

a) and b) Approved.

The motion carried unanimously.

Board of Supervisors

A-26) SUPERVISOR CARBAJAL [File Reference No. 08-01115](#)

Approve the reappointment of Anthony E. Brown to the Sedgwick Ranch Agricultural Oversight Committee, term ending December 16, 2010, First District.

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

A-27) SUPERVISOR CARBAJAL [File Reference No. 08-01116](#)

Approve the reappointment of Tona Wakefield to the Advisory Board on Drug and Alcohol Problems, term ending December 16, 2011, First District.

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

Hearing Requests

A-28) COUNTY CLERK-RECORDER-ASSESSOR [File Reference No. 08-01109](#)

Set hearing to consider recommendations regarding an Ordinance Setting Fees for the Office of the County Clerk-Recorder, as follows:

a) Consider the introduction (first reading) of an Ordinance Setting Fees for the Office of the County Clerk-Recorder effective January 13, 2009; and

b) Set hearing for January 27, 2009 to consider the adoption (second reading) of an Ordinance to Establish Fees for the Office of the County Clerk-Recorder.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: January 13, 2009 in Santa Maria (EST. TIME: 10 MIN.) The motion carried unanimously.

A-29) COUNTY EXECUTIVE OFFICE [File Reference No. 08-01138](#)

Set hearing to consider Board of Supervisor appointments to Boards, Commissions and Committees.

A motion was made by Supervisor Gray, seconded by Supervisor Wolf, that this matter be Set for a hearing, as follows: January 6, 2009 in Santa Barbara (EST. TIME: 15 MIN.) The motion carried unanimously.

Approval of Administrative Agenda

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HEARIGN TIME: 9:19 A.M. - 10:13 P.M. (54 MIN.)

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

File Reference No. 08-00001

Public Comment

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HEARING TIME: 10:13 A.M. - 10:24 A.M. (11 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: Budgetary Issues - Dr. Robert Johns Addressed the Board.

RE: Naples/Santa Barbara Ranch Project - Marc Chytilo Addressed the Board.

RE: Spoke to Naples/Santa Barbara Ranch Issues - Third District Supervisor Brooks Firestone Addressed the Board.

RE: Directed staff to return in early 2009 with a full report on County policy regarding independent contractors and contractors on payroll - Second District Supervisor Janet Wolf Addressed the Board.

RE: Appreciation and thanks to Third District Supervisor Brooks Firestone for his two terms of service to the County of Santa Barbara - Andy Caldwell, First District Supervisor Salud Carbajal, Second District Supervisor Janet Wolf, Fourth District Supervisor Joni Gray and Fifth District Supervisor Joe Centeno Addressed the Board.

Departmental Agenda
Planning Items and Public Hearings

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1) **PUBLIC WORKS**

[File Reference No. 08-01096](#)

HEARING - 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. (EST. TIME: 45 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: WITHDRAW FROM AGENDA

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HEARING TIME: 10:28 A.M. - 10:29 A.M. (1 MIN.)

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

2) **SUPERVISOR FIRESTONE**

[File Reference No. 08-01133](#)

HEARING - Consider adopting a Graffiti Abatement Ordinance, as follows: (EST. TIME: 15 MIN.)

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.

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HEARING TIME: 10:50 A.M. - 11:37 A.M. (47 MIN.)

A motion was made by Supervisor Firestone, seconded by Supervisor Wolf, that this matter be Acted on and set for a hearing, as follows: Received and filed staff presentation and conducted public hearing.

a) Read title, waived reading of Ordinance in it's entirety. Introduction approved; adoption (second reading) set for January 13, 2009.

e) Set for January 13, 2008 in Santa Maria.

Directed staff to include provision to return for review in December 2009.

The motion carried by the following vote:

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

Noes: 1 - Supervisor Centeno

3) 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 Cuyama Community Services District, four-year term, Fifth District; and

ii) 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: 11:38 A.M. - 11:39 A.M. (1 MIN.)

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

Received and filed staff presentation and conducted public hearing.

a) Appointed directors as follows:

i) Pattijane Torell, Cuyama Community Services District, four-year term; and

ii) Robin A. Prideaux, Cuyama Community Services District, two-year term.

The motion carried unanimously.

4) PLANNING AND DEVELOPMENT [File Reference No. 08-01104](#)

HEARING - Receive and file a briefing on the impacts and opportunities associated with new statewide climate change legislation, and provide direction to staff as necessary. (EST. TIME: 45 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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HEARING TIME: 11:40 A.M. - 1:10 P.M. (90 MIN.)

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

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

Directed staff to reinstate the County's "green team" under the direction of General Services Director Robert Nisbet. The team is to focus on the State's Plan Summarized in the staff presentation of December 16, 2008 with understanding of the current budgetary challenges.

The motion carried as follows:

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

Noes: 1 - Supervisor Carbajal

Note: The motion on the above item was amended on January 6, 2009 during the approval of the minutes of the December 16, 2008 meeting. The amended language can be found in Clerk of the Board File 08-1104 and reads as follows:

Directed staff to reconstitute and reconvene the Green Team as the Sustainability and Conservation Team under the direction of General Services, and report back to the Board in 90 days with recommendations regarding a strategy of what the County can do now, internally, within County departments to reduce the County's energy usage, costs and carbon footprint, in light of current fiscal challenges.

The vote to approved the amended minutes of the meeting of December 16, 2008 was as follows:

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

Abstentions: Supervisor Farr

5) COUNTY EXECUTIVE OFFICE[File Reference No. 08-00852](#)

HEARING - Consider recommendations regarding the Orcutt Planning Area Development Incentives, Fourth District, as follows: (EST. TIME: 1 HR.)

- a) Consider monetary incentives to offset AB 1600 impact fees for developing businesses in the Old Town Orcutt planning area;
- b) Consider permit processing and offset AB 1600 incentives for the Evergreen Village Center; and
- c) Provide direction to staff regarding any incentives to be granted and determine the source of funding as a backfill for any amounts granted.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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HEARING TIME: 2:50 P.M. 5:50 P.M. (3 HRS.)

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

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

a) Approved as amended at the hearing on December 16, 2008 as follows:

Old Town Orcutt be considered as a shopping center (200,000 square feet limit) in the context of the AB 1600 fees.

Motion carried unanimously.

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

b) and c) Continued to February 10, 2008 in Santa Maria.

Motion carried unanimously.

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

HEARING - Consider approval of the 2003-2008 General Plan Housing Element Focused Rezone Program including associated amendments to the 2003-2008 Housing Element, the Orcutt Community Plan, and the Land Use Development Code. The Focused Rezone Program proposed project rezones portions of two sites, designated as Key Site 3 and Key Site 30 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. Alternate to the Focused Rezone Program proposed project, the Santa Barbara County Planning Commission has recommended that portions of Key Sites 3 and 16 be rezoned to accommodate these units. Staff recommends that the Board of Supervisors acts as follows: (EST. TIME: 1 HR.)

a) Certify the 2003-2008 Housing Element Focused Rezone Program Environmental Impact Report (08-EIR-00000-00005; SCH No. 2008061139), including EIR Revision Letters dated October 15, 2008 and November 12, 2008;

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;

c) Conceptually approve the Focused Rezone Program, including rezones to portions of Key Sites 3 and 30 described below;

d) Direct staff to request a consistency review of the proposed Key Site 30 rezone by the Airport Land Use Commission; and

e) Set a hearing for January 27, 2009 to consider adoption of the Focused Rezone Program, as follows:

i) Adopt the Focused Rezone Program EIR Mitigation Monitoring and Reporting Program and related CEQA Findings and Statement of Overriding Considerations;

ii) 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;

iii) 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 Agriculture 1 to Residential 20 on a portion of APN 107-250-008; by revising development standards for two sites identified in the Orcutt Community Plan as Key Site 3 and Key Site 30; and, by adding Appendix F, the Mitigation Monitoring and Reporting Program; and

iv) Adopt an Ordinance amending the Santa Barbara County Land Use and 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 and APN 107-250-008 to apply the new Multi-Family Residential-Orcutt zone.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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HEARING TIME: 2:50 P.M. - 5:55 P.M. (3 HRS. 5 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) Certified the 2003-2008 Housing Element Focused Rezone Program Environmental Impact Report (08-EIR-00000-00005; SCH No. 2008061139), including EIR Revision Letters dated October 15, 2008 and November 12, 2008 relating to Key site 16 ;**
- b) Received 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;**
- c) Conceptually approved the Focused Rezone Program, including rezones to portions of Key Sites 3 and 16;**
- d) Directed staff to contact HCD to confirm certification of the County's September 9, 2008 Housing Element amendment and request an adequacy determination of the KS 16 rezone;**
- e) Directed staff to request that the SBCAG Board, sitting as the Airport Land Use Commission provide a consistency finding for the potential rezone of Key Site 30 on January 15, 2009; and**
- f) Set a hearing for January 27, 2009 to take the final legislative action to rezone sites needed to complete the Focused Rezone Program, including adoption of the necessary mitigation monitoring and reporting program, findings and statement of overriding considerations; and adopt the necessary amendments to the Santa Barbara County General Plan Housing Element, Orcutt Community Plan, and the Land Use Development Code to implement the rezone action.**

The motion carried by the following vote:

Ayes: 3 - Supervisor Carbajal, Supervisor Wolf and Supervisor Centeno

Noes: 2 - Supervisor Firestone and Supervisor Gray

7) PLANNING AND DEVELOPMENT[File Reference No. 08-01017](#)

HEARING - Consider recommendations regarding the Bedford Appeal, Case No. 08APL-00000-00034, of County Planning Commission approval of the Lompoc Wind Energy Project, Case No. 06CUP-00000-00009; 08VAR-00000-00003, Third District, as follows: (EST. TIME: 2 HRS.)

- a) Deny the Bedford Appeal, Case No. 08APL-00000-00034;
- b) Certify that the Lompoc Wind Energy Project Environmental Impact Report (August 2008) (06EIR-00000-00004; SCH #2006071008) reflects the independent judgment of the Board, has been completed in compliance with the California Environmental Quality Act (CEQA), and is adequate for the Lompoc Wind Energy Project;
- c) Adopt the required findings for the project, including CEQA findings, attached to the Planning Commission Action Letter dated October 7, 2008, including modifications to findings, and including any modifications made by the Board in the public hearing; and
- d) Grant approval of Conditional Use Permit 08CUP-00000-00009 and Variance 08VAR-00000-00003, subject to the conditions of approval specified in the Planning Commission Action Letter and attachments dated October 7, 2008, including modifications to permit conditions, and including any modifications made by the Board in the public hearing.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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HEARING TIME: 10:31 A.M. - 10:38 (7 MIN.)

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

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

a) through d) Continued to February 10, 2008 in Santa Maria.

The motion carried by the following vote:

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

Recused: 1 - Supervisor Gray

8) PLANNING AND DEVELOPMENT[File Reference No. 08-01014](#)

HEARING - Consider recommendations regarding the California Department of Fish and Game Appeal, Case No. 08APL-00000-00035, of County Planning Commission approval of the Lompoc Wind Energy Project, Case No. 06CUP-00000-00009; 08VAR-00000-00003, Third District, as follows: (EST. TIME: 2 HRS.)

- a) Deny the CDFG Appeal, Case No. 08APL-00000-00035;
- b) Certify that the Lompoc Wind Energy Project Environmental Impact Report (August 2008) (06EIR-00000-00004; SCH #2006071008) reflects the independent judgment of the Board, has been completed in compliance with the California Environmental Quality Act (CEQA), and is adequate for the Lompoc Wind Energy Project;
- c) Adopt the required findings for the project, including CEQA findings, attached to the Planning Commission Action Letter dated October 7, 2008, including modifications to findings, and including any modifications made by the Board in the public hearing; and
- d) Grant approval of Conditional Use Permit 08CUP-00000-00009 and Variance 08VAR-00000-00003, subject to the conditions of approval specified in the Planning Commission Action Letter and attachments dated October 7, 2008, including modifications to permit conditions and including any modifications made by the Board in the public hearing.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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HEARING TIME: 10:31 A.M. - 10:38 A.M. (7 MIN.)

Acted on as follows:

Received and filed staff presentation and conducted public hearing.

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

a) through d) Continued to February 10, 2008 in Santa Maria.

The motion carried by the following vote:

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

Recused: 1 - Supervisor Gray

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

HEARING -Consider the adoption (second reading) of the Building fee ordinance, to be effective 60 days from adoption., as follows: (EST. TIME: 5 MIN.)

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: APPROVE

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HEARING TIME: 5:55 P.M. 5:59 P.M. (4 MIN.)

**A motion was made by Supervisor Centeno, seconded by Supervisor Wolf, that this matter be Acted on as follows:
Received and filed staff presentation and conducted public hearing.**

Adopted.

ORDINANCE NO. 4702

The motion carried by the following vote:

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

Abstentions: 1 - Supervisor Firestone

Adjourned at 6:01 P.M.

The Board of Supervisors adjourned the meeting of December 16, 2008 in honor of Marcia R. Gee and Jane & George Karamatic of North County.

Adjourned to

December 23, 2008

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County Administration Building
Board Hearing Room
105 East Anapamu Street , Fourth Floor
Santa Barbara

Announcements

<http://www.countyofsb.org>