



BOARD OF SUPERVISORS
AGENDA LETTER

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

Agenda Number:

Department Name: Public Works
Department No.: 054
For Agenda Of: 05/01/07
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: 4/5

TO: Board of Directors, Flood Control and Water Conservation District
FROM: Department Phillip M. Demery, Director Public Works
Director(s) 568-3010
Contact Info: Tom Fayram; Deputy Director
Flood Control and Water Conservation District 568-3436
SUBJECT: Acceptance of Permanent Easement; APN 061-273-003

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

- A. Approve the attached Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines regarding the proposed acceptance of an easement crossing a portion of the parcel known as APN 061-273-003, located at 4640 Vieja Drive in the unincorporated area of the County known as Goleta; and
- B. Accept a Permanent Easement from Layman Property Management LLC, owner of the above referenced property by authorizing the Clerk of the Board to sign the Certificate of Acceptance attached to the Permanent Easement deed.

Summary Text:

The Santa Barbara County Flood Control and Water Conservation District has plans to install the Via Rueda Interceptor Storm drain which will collect and carry storm water from Vieja Drive down to Atascadero Creek. After exiting the Vieja Drive right of way the pipeline route crosses a portion of APN 061-273-003 (herein the "Property") which is owned by the Laymans. The Laymans have executed and delivered the Permanent Easement which is attached for acceptance by your Board.

Background:

This project is located on Vieja Drive off of Puente Drive and Hollister Avenue in the unincorporated area of Santa Barbara County.

Via Rueda is a roadway in the immediate vicinity of the project. The Via Rueda residential tract was developed in the early 1960's and includes an easement granted to the Flood Control District for the purposes of maintaining a concrete ditch located behind the Via Rueda homes at the foot of a hillside slope that extends up to the Vieja Drive right of way. The Vieja Drive right of way along this reach is a dirt road held by the County via easement that is not within the County's maintained right of way system.

Over the years, access to the concrete ditch to perform maintenance has been problematic for the Flood Control District since the area is not accessible to equipment. Consequently, maintenance of the existing ditch has been labor intensive. The Flood Control District conceived of a project that would install a storm drain system within the Vieja Drive right of way, immediately above the Via Rueda housing tract (herein the "Project"). The Project would intercept the storm water that historically drained to the above referenced concrete ditch. The proposed project includes installing approximately 1100 feet of storm drain within the Vieja Drive right of way and the newly acquired Flood Control easement to Puente Drive and constructing drainage inlet facilities and manholes. A second phase of this project will extend the storm drain approximately 250 feet from Puente Drive to Atascadero creek, contingent upon the relocation of a 16" high pressure gas transmission main. The proposed system would protect the hillside behind the Via Rueda homes and is accessible to equipment for easy maintenance. The existing Flood Control easement within the Via Rueda residential tract will be quitclaimed back to the underlying property owners except for those portions necessary to maintain the new drainage system. Acquiring an additional easement is necessary for construction and maintenance of this Project. Overall drainage patterns are not altered.

Your Board approved the Project at its regular meeting of November 15, 2005. Negotiations for the acquisition of the needed easement rights to connect Vieja Drive to Atascadero Creek were originally conducted with the owners of 588 Puente Drive. During the course of those negotiations the Laymans (owners of the neighboring Property at 4640 Vieja Drive) applied for a lot split and the decision was made to shift the connection to that Property. On March 14, 2007 the Santa Barbara County Planning Commission ruled that the Project is in conformity with the adopted General Plan (65402 conformity) as part of the Capitol Improvement Plan.

The Laymans have executed a Temporary Construction Easement and the Permanent Easement to allow construction. There was no charge for the temporary or permanent easements. Construction of the Project is proposed for the summer or fall of 2007.

Performance Measure:

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative:

The easements were granted without charge. Real Property staff time was paid for by Flood Control.

Staffing Impacts:

Legal Positions:

FTEs:

Special Instructions:

- | | |
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| 1. Original Easement Deed & Acceptance | Surveyors Division, Attn: Jeff Havlik |
| 2. Copy of Easement Deed & Acceptance | Clerk of the Board Files |
| 3. Minute Order | Surveyors Division, Attn: Jeff Havlik and
Flood Control, Attn: Christina Lopez |

NOTE: Real Property will deliver the original Easement Deed & Acceptance with all attachments for recordation. The original of the Easement Deed & Acceptance will be returned to Real Property who will deliver them to the Clerk with a request for a certified copy. The originals will be retained by the Clerk of the Board; the certified copy will be delivered to the Laymans. Standard copies will be retained by the Flood Control District and Real Property.

Attachments:

CEQA Notice of Exemption,
Easement Deed & Acceptance

Authored by:

J. Jeffery Havlik, Real Property
Matt Griffin, Flood Control and Water Conservation

cc:

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