



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

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

Department Name: Planning &  
Development  
Department No.: 053  
For Agenda Of: July 12, 2011  
Placement: Administrative  
Estimated Tme:  
Continued Item: Yes  
If Yes, date from: 9/7/10  
Vote Required: Majority

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**TO:** Board of Supervisors

**FROM:** Department Glenn Russell, Planning & Development 568-2085  
Director(s)  
Contact Info: Doug Anthony, Deputy Director, Energy Division, 568-2046

**SUBJECT:** Coastal Resource Enhancement Fund (CREF) – Grant Contract with City of Goleta

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:** Risk Management, General Services

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors authorizes the Chair to:

- A. Execute the attached original and duplicate original CREF contract (BC-11-081) with the City of Goleta, in the amount of \$64,844.87, to purchase a 0.25 acres parcel on Mathilda Drive, known as the Banks Property, located near the Sperling Preserve in Goleta, in the Third Supervisorial District; and
- B. Accept the attached City of Goleta Conservation Easement Deed (Exhibit A to CREF Contract No. BC-11-081) over that certain property commonly known as the Banks Property, in the City of Goleta, California, and identified as APN: 079-554-028 by authorizing the Clerk of the Board to sign the Certificate of Acceptance attached thereto.

**Summary Text:**

Coastal Resource Enhancement Fund (CREF) Contract BC-11-081 awards the City of Goleta a \$64,844.87 CREF grant to purchase a 0.25 acres parcel on Mathilda Drive, known as the Banks Property, to be added to the Sperling Preserve in Goleta. The City of Goleta secured an additional \$5,115.13 plus escrow and title fees to purchase the Banks Property for \$70,000, far below the appraised value price of \$140,000.

Exhibit A of the CREF Contract conveys a Conservation Easement over the Banks Property to the County for the protection of plants, animals, and other natural resources and habitat, and for the provision of public access. Staff recommends, on advice of County Counsel, that CREF awards that propose permanent restrictions on the use of property be done through a conservation easement to improve their enforcement. Such instruments are specifically authorized by Civil Code section 815 et seq. The County's General Service Real Estate Services has developed a new standardized CREF Agreement and Conservation Easement Agreement, in consultation with County Counsel, for implementing permanent restrictions on the use of property where called for by a CREF grant.

**Background:**

In the 2010 CREF cycle, the City of Goleta requested a CREF grant to help purchase one or more of 17 properties along Mathilda Drive in Goleta to be added to the Sperling Preserve. In September of 2010, the Board of Supervisors allocated a \$64,844.87 CREF grant to the City of Goleta, and reserved its ability to approve to which property(ies) the grant was applied, to ensure the best use of CREF.

Since that time, the City has purchased two properties and would like to use this CREF grant to help acquire a third property. (See attached map to this Board letter – the yellow outlines the subject property, the Banks Property, and the two recently purchased properties are 079-554-024 and 079-554-029, outlined in red.) Staff believes the Banks property is worthy of the CREF grant for the following reasons: (1) the Banks Property abuts other city-owned property, thereby providing a continuity for the canopied habitat and wildlife movement to and from the Sperling Preserve; and (2) the Banks Property is surrounded on all sides by undeveloped parcels and not abutting a residential unit.

Mitigation of impacts to coastal resources from offshore oil and gas development is required as a condition of permits on three projects. Mitigation is provided through the Coastal Resource Enhancement Fund.

There are no changes in service level as a result of this contract.

**Fiscal and Facilities Impacts:**

No fiscal and facilities impacts. The Coastal Resource Enhancement Fund is funded by annual mitigation fees paid by developers of offshore oil and gas reserves. Fees to fund a grant were received in FY 09-10 and are included in the County's FY 11/12 Budget on page D-324 "Source of Funds Summary – Use of Prior Fund Balances." Staff costs to prepare this contract have been offset by interest accrued to the Coastal Resource Enhancement Fund. The \$64,844.87 for purchasing the Banks Property is expended from Fund #0063, Dept. #053, Program #5090, Account #7863, Project #1010.

**Special Instructions:**

Clerk of the Board will forward a copy of the contract to Kathy McNeal Pfeifer of the Planning and Development Department, Energy Division, who will mail a copy of the contract to the grantee and request the Auditor Controller to enter into escrow for the acquisition.

**Attachments:**

Contract BC-11-081 with the City of Goleta (with Exhibit A, the Conservation Easement Deed and Agreement)  
Contract Data Sheet

**Authored by:**

Kathy McNeal Pfeifer, 568-2507