



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: General Services
Department No.: 063
For Agenda Of: May 15, 2012
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: General Services Robert Nisbet, Director (560-1011)
Contact Info: Paddy Langlands, Assistant Director (568-3096)
Support Services Division
SUBJECT: **Easement and License Agreement to Preserve and Maintain Orcutt Town Clock;
ORES Folio: 003648; Fourth Supervisorial District**

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Accept the Easement Deed conveying a permanent easement to the County over an approximately four-foot by seven-foot portion of the property located at 120 East Clark Avenue in Old Town Orcutt (APN 105-090-002), to provide for preservation of the Orcutt Town Clock, by directing the Clerk to execute the Certificate of Acceptance attached thereto;
- b) Approve and execute the original and duplicate original License Agreement between the County of Santa Barbara and the Old Town Orcutt Revitalization Association (OTORA), to provide for access, maintenance and repair by OTORA of the Orcutt Town Clock, which is located at 120 E. Clark Avenue in Old Town Orcutt;
- c) Find that the recommended actions are for the maintenance of existing mechanical equipment involving negligible or no expansion of use beyond that which currently exists, and that the actions are therefore exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301. Approve and direct staff to file and post the attached Notice of Exemption on that basis; and

Auditor-Controller Concurrence

As to form: Yes

Subject: Easement and License Agreement to Preserve and Maintain Orcutt Town Clock
Agenda Date: May 15, 2012
Page: 2 of 3

- d) Accept the Planning Commission's 65402 Report, stating that acceptance of the Easement for the purpose of providing for the preservation and maintenance of the Orcutt Town Clock is consistent with the applicable Comprehensive Plan of the County of Santa Barbara, in accordance with California Government Code Section 65402.

Summary Text:

The permanent Easement Deed for an approximately four-foot by seven-foot portion of the property located at 120 East Clark Avenue in Old Town Orcutt, will provide for the preservation and operation of the Orcutt Town Clock, in perpetuity; and the License Agreement with OTORA will provide for the ongoing maintenance and repair of the clock, which is owned by OTORA.

Background:

The Orcutt Town Clock is a 17-foot-tall clock located on private property at 120 East Clark Avenue in Orcutt. The clock was a gift to the community from the Old Town Orcutt Revitalization Association (OTORA), a nonprofit focused on revitalizing the cultural and historical center in Orcutt. The clock features the town's name and founding date, 1904, in gold-plated letters. Local artist Glenda Stevens created an image of "Old Maude," the largest of Orcutt's old oil wells, for the face.

The Easement Deed grants to the County the permanent right to preserve the clock in its current location, near the sidewalk in the heart of Old Town Orcutt, at no charge to the County. The property owners, Paul and Marilyn Enstad, are committed to provide the electricity needed to operate the clock in perpetuity, at no charge to County as per the easement deed. If the property is sold, the purchaser will take title to the property subject to that term.

Under the terms of the License Agreement that the Board of Supervisors is taking action on today, requires OTORA at their expense, to maintain and repair the Town Clock. The Town Clock was purchased and installed by OTORA. The License Agreement grants OTORA the right to use, possess, and occupy the license area on a year to year basis. As consideration for use of this License Area, OTORA shall maintain, repair, and operate the Town Clock, at its expense, as their sole and primary responsibility.

The recommended actions of accepting the Easement Deed and executing the License Agreement are categorically exempt from CEQA pursuant to Section 15301 of the California Code of Regulations. In accordance with Section 15301, these actions provide for the operation, repair, maintenance and licensing of mechanical equipment, involving negligible or no expansion of use beyond that which currently exists. These actions pose no reasonable possibility of a significant effect on the environment, no significant cumulative impacts from projects of the same type will result, and there will be no impacts on any uniquely sensitive habitat.

Fiscal and Facilities Impacts:

There are no facilities impacts connected with this project.

Subject: Easement and License Agreement to Preserve and Maintain Orcutt Town Clock
Agenda Date: May 15, 2012
Page: 3 of 3

Fiscal Analysis:

There are no costs to the County associated with acceptance of the Easement Deed, or execution or performance of the License Agreement.

Special Instructions:

After Board action, please distribute as follows:

- | | |
|---|---------------------------------|
| 1. Copy of Easement Deed | Clerk of the Board Files |
| 2. Original License Agreement | Clerk of the Board Files |
| 3. Original Easement Deed, Duplicate Original
License Agreement, Minute Order: | Real Estate Services, Don Grady |

*Real Estate Services will record the Easement Deed with the County Recorder and return a copy of the recorded document to the Clerk of the Board

*Please post the Notice of Exemption after approval by the Board

Attachments:

1. Easement Deed
2. License Agreement
3. Notice of Exemption
4. Planning Commission's 65402 Report