



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:** March 2, 2021  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** 4/5

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**TO:** Board of Directors of the Santa Barbara County Flood Control and Water Conservation District

**FROM:** Department: Scott D. McGolpin, Director of Public Works, 805-568-3010  
Directors: Janette D. Pell, Director of General Services, 805-560-1011

Contact Info: Thomas D. Fayram, Deputy Director, 805-568-3436  
Skip Grey, Assistant Director, General Services, 805-568-3083

**SUBJECT:** **Transfer of Real Property at North Preisker Lane in Santa Maria From Flood Control to the City of Santa Maria, Fifth District**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: No

**Other Concurrence:** Risk Management

As to form: Yes

**Recommended Actions:**

That the Board of Directors of the Flood Control and Water Conservation District (District):

- a) Adopt the Resolution determining that the real property located at the terminus of North Preisker Lane in Santa Maria (San Luis Obispo County Assessor's Parcel Number 090-341-051) is not needed for flood control purposes, which will enable the District to dispose of the property in the manner prescribed by law for such action by counties;
- b) Approve and authorize the Chair of the Board to execute the Transfer Agreement between the District and the City detailing the terms and conditions of the property transfer;
- c) Approve and authorize the Chair of the Board to execute the Quitclaim Deed, which will release District's rights, title and interest in the subject property;
- d) Instruct the Director of the County Public Works Department, or Director's designee, to present the executed Quitclaim Deed to the City of Santa Maria for acceptance and thereafter cause the Quitclaim Deed to be entered into the official records of the San Luis Obispo County Clerk-Recorder's Office;

- e) Determine that the recommended actions are exempt under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15061(b)(3) and 15325, as the actions consist of the transfer of ownership interests in land for park purposes and the preservation of open spaces and do not have any reasonable probability of a significant effect on the environment, and direct staff to file a CEQA Notice of Exemption on that basis.

**Summary Text:**

This item is on the agenda for the Board of Directors to approve and execute the documents necessary to transfer real property that is no longer needed for flood control purposes from the District to the City of Santa Maria. Once the Resolution Declaring Certain Real Property as Surplus (Attachment 1), Transfer Agreement (Attachment 2) and Quitclaim Deed (Attachment 3) are fully executed and the Quitclaim Deed is thereafter accepted and recorded, all District's ownership interests in the subject property will be released and quitclaimed to the City.

**Background:**

The subject property is located adjacent to and directly south of the Santa Maria River Levee in San Luis Obispo County, just north of the Santa Barbara County boundary line. On May 18, 2017, the property was placed in a public auction of tax-defaulted properties by the Tax Collector of San Luis Obispo County and sold by sealed bid to the highest bidder. The District submitted the highest bid and purchased the property for the sum of \$500.00. After acquiring the property, the District determined that the parcel was not necessary for flood control purposes and could be re-utilized by the City of Santa Maria for recreational purposes.

On June 29, 2020, the City of Santa Maria requested the transfer of the subject property from the District to the City in order to allow the City to integrate more land into the City's trail system along the Santa Maria River Levee. The City intends to use the property to construct an improved trailhead for better access to the Santa Maria River Levee Trail and the U.S. Route 101 Pedestrian Bridge to Nipomo. Thereafter, on November 11, 2020, the Planning Division of the City of Santa Maria Community Development Department determined that the acquisition of the subject property is in conformance with the City of Santa Maria General Plan.

General Services staff has determined that this project is exempt from environmental review in accordance with CEQA Guidelines Sections 15061(b)(3) and 15325. The proposed actions consist of the transfer of ownership interests in land in order to preserve open space and lands for park purposes. No development is contemplated at this time and any future development will be the subject of an independent environmental review. There will be no significant change in the use of the Property and there is no reasonable probability of a significant effect on the environment. For these reasons, a CEQA Notice of Exemption has been prepared and is attached hereto as Attachment 4.

After this Board executes the Quitclaim Deed, the original document will be submitted to the City of Santa Maria to accept the transfer by way of executing a Certificate of Acceptance attached to the deed, and thereafter the fully executed Quitclaim Deed will be presented to the San Luis Obispo County Clerk-Recorder's Office for recordation. A copy of the recorded document will then be provided to the Clerk of this Board.

**Fiscal and Facilities Impacts:**

This proposed action will have no fiscal or facilities impacts. The City of Santa Maria has agreed to pay for all costs associated with this transfer.

**Key Contract Risks:**

None.

**Staffing Impacts:**

None

**Special Instructions:**

After Board action, please distribute as follows:

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| 1. Original Resolution and Transfer Agreement           | Clerk of the Board Files   |
| 2. Duplicate Original Resolution and Transfer Agreement | Susan Freebourn/Real Estate Services   |
| 3. Original Quitclaim Deed                              | Susan Freebourn/Real Estate Services   |
| 4. Copy of Minute Order                                 | Susan Freebourn/Real Estate Services<br><i>and</i> Christina Lopez/SB Flood Control &<br>Water Conservation District |

\*\* Real Estate Services will return to a copy of the recorded Quitclaim Deed to the Clerk after acceptance by the City and recordation with the San Luis Obispo County Clerk-Recorder's Office.

**Attachments:**

1. Resolution Declaring Certain Real Property as Surplus
2. Transfer Agreement
3. Quitclaim Deed
4. CEQA Notice of Exemption

**Authored by:** Susan Freebourn, Real Property Agent