



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: Public Works
Department No.: 054
For Agenda Of: September 6, 2011
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Director Scott McGolpin, Public Works Department, 568-3010
Contact Info: Dacé Morgan, Deputy Director -Transportation, 568-3064

SUBJECT: **Rescind a Resolution for Assessment of Expenses Incurred in Abating a Traffic Nuisance and Tree Removal on Clubhouse Road, APN 097-371-067 (Lot 54), Third Supervisorial District**

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

Approve and authorize the Chair to execute a Resolution to rescind Resolution 11-253, which authorized the Assessment of Expenses Incurred in Abating a Traffic Nuisance on Clubhouse Road, APN 097-371-067 (Lot 54).

Summary Text:

On June 21, 2011, your Board approved Resolution 11-253 for the Auditor-Controller to place a tax lien on APN 097-371-067 to recover the costs incurred in abating the traffic nuisance. Subsequent to this Board action, the underlying property owner, Clubhouse Estates Home Owners Association, reimbursed the County for the total cost for the removal of the 30 dead and dying Monterey Pine trees, including reasonable administrative costs totaling \$19,842.58. Therefore, the lien should be removed from APN 097-371-067 (Lot 54). The Public Works Department requests that your Board execute a Resolution to rescind Resolution No. 11-253.

Background:

On January 4, 2011, your Board directed the Road Commissioner to abate the Traffic Nuisance on Clubhouse Road, APN 097-371-067 (Lot 54) by removing 30 dead and dying Monterey Pine trees. In

addition, your Board directed the Road Commissioner to keep an account of all expenses incurred in abating this traffic nuisance and file a report of these expenses with your Board.

Also on January 4, 2011, your Board determined that this action is exempt for the California Environmental Quality Act (CEQA) in accordance with Section 15304 of the Guidelines for Implementation of CEQA and Staff filed the Notice of Exemption with the Clerk of the Board.

On April 22, 2011, Public Works provided an invoice to the Clubhouse Estates Homeowner's Association for the expenses incurred in abating the Traffic Nuisance, but did not receive reimbursement. On June 21, 2011, your Board approved Resolution 11-253 for the Auditor-Controller to place a tax lien on APN 097-371-067 to recover the costs incurred in abating the traffic nuisance.

Not all of the Monterey Pine trees were removed from this section of Clubhouse Road; therefore, the Department's arborist will continue to monitor the remaining trees, at minimum, on a semi-annual basis. We will approach your Board in the future, should it become necessary to abate any safety hazards.

Fiscal and Facilities Impacts:

Budgeted: N/A

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
Federal			
State			
Other	\$ -	\$ -	\$ -
Total	\$ -	\$ -	\$0.00

Narrative:

There are no fiscal impacts with this action.

Staffing Impacts:

Legal Positions:
None

FTEs:
None

Special Instructions:

Please provide a certified stamped Minute Order as well as one copy of the executed document to the Public Works Department, Transportation Division, Attn: Gena Valentine Felix, ext. 3064.

Attachments:

Resolution

Authored by:

Dacé Morgan, Deputy Director, Public Works – Transportation, 568-3064