



**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: December 11, 2012
Placement: Administrative
Estimated Tme:
Continued Item: Yes
If Yes, date from:
Vote Required: 4/5

TO: Board of Supervisors

FROM: General Services Jim Laponis, Interim Director (805) 568-2626
Department
Contact Info: Ronn Carlentine, Real Property Manager (805) 568-3078

SUBJECT: Alexander Land Donation, Vandenberg Village; Third District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence:

As to form: Community Services & Risk

Recommended Actions:

That the Board of Supervisors:

- a) Accept the Planning Commission's Report determination that the land donation of the Alexander property (APN 097-371-038) is consistent with the Comprehensive Plan of the County of Santa Barbara pursuant to Government Code 65402(a);
- b) Approve and execute the attached original and duplicate original Real Property Donation Agreement between Reid K. Alexander Family Trust, dated November 7, 1996, as Seller, and the County of Santa Barbara, as Buyer, Third District;
- c) Accept the attached copy of the Grant Deed to real property conveyed from the Alexander family, as owner of land known as APN 097-371-038, to the County of Santa Barbara, by authorizing the Clerk of the Board to sign the original "Certificate of Acceptance" attached to the copy of the Grant Deed;
- d) Direct the County Surveyor to issue two unconditional Certificate of Compliance for the parcels remaining in private ownership following donation of the land to the County of Santa Barbara;

- e) Approve the Notice of Exemption and direct staff to file this Notice of Exemption on the basis that the land donation is for the purpose of preservation of open space for park purposes pursuant to CEQA Guidelines Section 15316, Transfer of Ownership in Order to Create Parks (a);
- f) Authorize the Director of General Services Department, or designee, to execute the necessary supplemental documents which may be required to complete the closing of this real property land donation: and
- g) Approve budget revision request 0002675 to increase appropriation of \$785,000 in Community Services Department, Parks Division General Fund for Capital Assets funded by unanticipated revenue from a donation from the Reid K. Alexander Family Trust.

Summary Text: The Reid K. Alexander Family Trust is proposing to donate to the County a parcel of land approximately 1.5 acres (portion of APN: 097-371-038) to provide for a proposed public park in the Vandenberg Village located on the northwesterly side of Constellation Road. The land donation is to convey the approximate 1.5 acre middle portion of an 8.29 acre vacant commercial property. The Board's action today will allow this real estate land donation to proceed and thereby transferring ownership of approximately 1.5 acres to the County. In support of this land donation, the owner will be the recipient of two Certificate of Compliance for the remaining north and south parcels, each constituting a separate legal parcel.

Background:

Upon the owner sending the County a written offer to donate land, direction was given to staff to proceed with this transaction. Due to the short timeline to complete this donation by the end of 2012, county staff has performed the necessary due diligence (title report, environmental site assessment, 65402, and CEQA) associated with this donation.

The terms of this donation stipulate that certain parameters are met and in particular "Certificates of Compliance" be issued on the two remaining north and south parcels, and in conjunction with this transaction, and the County furnish to the owner an Internal Revenue Code form acknowledging receipt of the donated land since the County is a qualified charitable recipient under the Internal Revenue Code.

Although the land comes at no cost to the County, currently funds are unavailable for the development of this land into a public park and its on-going maintenance. The land is in a natural condition and no management plan for a park has been prepared. Staff has been advised that certain members of the community have stated they will fund raise for capital and operating expenses.

On November 14, 2012, the Planning Commission made a finding that the proposed land donation for in-fee ownership is consistent with the Comprehensive Plan of the County of Santa Barbara pursuant to Government Code Section 65402(a). The California Environmental Quality Act (CEQA), Notice of Exemption Section 15316 (a) supports the transfer of ownership in land in order to create parks. County staff considered possible environmental impacts in its decision making and found that the land donation does not change its current use. An additional Government Conformity determination would be required prior to any development of the site.

Fiscal and Facilities Impacts:

Another stipulation to this transaction is that the owner is required to reimburse county staff for the cost of preparing and processing this land donation and Certificates of Compliance. The owner acknowledges that the reimbursement amount is not applicable against the land value or any other charge under this transaction. The reimbursement amount the owner is required to pay to the County is in the amount of \$21,600. This reimbursement amount will be held in fund: 0001, Dept: 063, Program: 1250; and distributed accordantly to county departments involved in preparing the necessary work associated with this transaction. At this time, the Department has no current funding budgeted for the development of this land.

Special Instructions:

After Board action, distribute as follows:

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|------------------------------------------|-------------------------|
| 1) Original Donation Agreement | Clerk of the Board File |
| 2) Duplicate Original Donation Agreement | GS/Real Estate Svcs. |
| 3) Copy of Certified Copy of Grant Deed | Clerk of the Board File |
| 4) Original Grant Deed and Certificates | GS/Real Estate Svcs. |
| 5) Minute Order | GS/Real Estate Svcs. |

Note: The Office of Real Estate Services will provide the Clerk of the Board with a recorded copy of the Grant Deed upon recordation.

Attachments:

Planning Commission's Report
Real Property Donation Agreement
Grant Deed
(2) Certificate of Compliance
Notice of Exemption
Budget Revision Request 0002675

Authored By:

rc- Office of Real Estate Services