



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/Laguna
Department No.: 054
For Agenda of: 9/21/2021
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Laguna County Sanitation District

FROM: Department Scott D. McGolpin, P.E., Director, (805) 568-3010
Director(s)
Contact Info: Leslie Wells, Deputy Director, (805) 882-3605

SUBJECT: Acceptance of Sewer Easement from APN 111-251-003, Fourth Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Directors:

- a) Accept the easement deed from James P. Azevedo, Jr., trustee of the James P. Azevedo, Jr. Trust dated May 13, 2021, owner of APN 111-251-003, and authorize the Clerk of the Board to execute the certificate of acceptance; and
- b) Find that the proposed action does not constitute a "Project" within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378(b)(5), in that it is a government administrative activity that will not result in direct or indirect changes in the environment.

Summary Text:

This item is on the agenda in order to acquire a public sewer easement over APN 111-251-003 to convey an existing sewer line on the property to Laguna County Sanitation District. The existing sewer line had been installed as an offsite sewer extension by the developer of Tract 14,067, which did not correctly dedicate the right of way for the pipeline on this property.

Background:

The Laguna County Sanitation District (District) provides wastewater services for the Orcutt and unincorporated Santa Maria area. Development projects are routinely conditioned to dedicate rights of way to the District for new sewer mains that would serve a new housing tract or commercial development. Typically this is completed by map for onsite sewer improvements and by easement for offsite sewer improvements.

The developers of Tract 14,067 (Kapalua Drive north of Solomon Road) needed an offsite sewer right of way to gain access to the public sewer system constructed by Tract 13,918 (Kapalua Drive south of Foxenwood Drive). The developer, therefore, was conditioned to provide an offsite sewer easement on APNs 111-251-001 and 111-251-003 to be held in favor of the District. An offsite easement was acquired by the developer per Instrument 1994-081423, however, it was held by Transco Real Properties. Transco Real Properties sold their interests to Extar Financial Corporation who recorded the tract map in 1995. Richard Koval and Associates eventually developed and sold the individual lots and the offsite sewer easement was never conveyed to the District. This action corrects the original development error as related to this parcel. Your Board accepted a similar easement for APN 111-251-001 on May 11, 2021. This parcel has completed a change in ownership and recently executed the required sewer easement deed. Subsequent actions are also pending to remove private owner interests in the sewer line on these parcels from the owners of parcels created by Tract 14,067.

Performance Measure:

This action will provide the appropriate sewer rights of way to ensure the sewer main is held in ownership by Laguna County Sanitation District.

Fiscal and Facilities Impacts:

There are no fiscal or facility impacts with this action.

Staffing Impacts:

There are no staffing impacts associated with this action.

Special Instructions:

After Board action, direct the Clerk to:

1. Execute the acceptance of easement deed for a sewer easement on APN 111-251-003.
2. Forward the executed easement deed and certified minute order to Martin Wilder, Laguna County Sanitation District at the North County Public Works Building, 620 West Foster Road in Santa Maria, CA 93455, to record. Recorded copies will be forwarded to the Clerk of the Board for filing.

Attachments:

Easement deed APN 111-251-003

Authored by:

Martin J. Wilder, P.E., Manager, (805) 803-8750

Copy:

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