

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: June 15, 2004
Department Name: PW/ Flood Control District
Department No.: 054-04-05
Agenda Date: July 6, 2004
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

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

FROM: Phillip M. Demery
Public Works Director

STAFF CONTACT: Thomas Fayram, Deputy Public Works Director, 568-3436
Mike Emmons, County Surveyor, 568-3020
Scott Dickinson, Real Property Agent, 739-8758

SUBJECT: West Green Canyon Storm Drain Project
County Project No. R-062
Fifth Supervisorial District

Recommendation(s):

That the Board of Directors:

A. Execute the attached original and duplicate original Real Property Purchase Contract and Escrow Instructions (Permanent Easement) and (Temporary Construction Easement) between the Santa Barbara County Flood Control District and US Trust Company of California, APN 117-191-007, Purchase Price \$136,067.00; and

B. Execute the attached original and duplicate original Real Property Purchase Contract and Escrow Instructions (Temporary Construction Easement) between the Santa Barbara County Flood Control District and Yong Kun Kim et. al., APN 117-200-026, Purchase Price \$1,200.00.

for the purpose of acquiring public easements in connection with the West Green Canyon Storm Drain Project.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

On October 14, 2003, your Board approved the Mitigated Negative Declaration (03-ND-16) for the West Green Canyon Storm Drain Project which constitutes the final phase of drainage improvements on the Green Canyon watershed that begins at Bradley Lake located east of Highway 101 in the Santa Maria area. The project consists of an 11,700-foot long storm drain beginning at Stowell Road, continuing north along existing farm roads to West Main Street and then west to the existing "West Main Street Channel - Unit Two" Flood Control channel. The storm drain is a continuation of an existing storm drain that discharges from the Hobbs

Fee Recharge Basin. In addition, the existing floodgates at the Unit II Channel junction with the Santa Maria River Levee will be modified to function better.

The attached Real Property Purchase Contracts and Escrow Instructions have been negotiated with the property owners, and they have agreed to sell Permanent and Temporary Construction Easements to the District in order to accommodate the District's plans to construct the project. The acquisition of the above mentioned easements will allow the flood control improvements to be installed on a portion of their property.

Flood Control staff has reviewed the terms and conditions of the Purchase Contracts and concurs with this real property transaction.

After execution of the attached Real Property Purchase Contracts and Escrow Instructions by the Board of Directors, escrows will be opened with Chicago Title Company at 2222 South Broadway, Santa Maria, CA, 93454. Escrows will have a proposed closing of 45 days after they are opened. The Permanent Easement Deeds will be brought back to the Board of Supervisors for acceptance prior to the close of escrow and recordation.

Mandates and Service Levels:

This project will complete a flood control infrastructure improvement program that has been coordinated in cooperation with landowners, farming tenants, developers, and the City. The completed program consists of a series of retention/recharge basins that provide both groundwater recharge and improved drainage control for agricultural lands.

Fiscal and Facilities Impacts:

Purchase of the easements will cost the District the purchase price of the easements as stated above, plus approximately \$450.00 per parcel for costs such as title insurance, escrow closing fees and other miscellaneous expenses. The impact to facilities is the addition of the flood control improvements and required maintenance thereto.

This project was included in the Adopted 2004/05 Budget and costs were allocated in the Design Cost Center under the Water Resources Division of the Public Works Department as shown on page D-326 in the budget book. Costs from this project will be paid from Dept: 054, Acct: 8700, Fund: 2610, Program: 3005. This project is also identified in the County's Capital Improvement Plan.

Special Instructions:

After Board action, distribute as follows:

- | | | |
|----|---|---|
| 1. | One (1) original and one (1) duplicate original Purchase Contracts and Minute Order | Public Works 2400 Professional Pkwy.
Attn: Scott Dickinson |
| 2. | Copy of Purchase Contract | Clerk of the Board Files |
| 3. | Minute Order | Attn: Tom Fayram |

The Real Property Division will deliver one (1) duplicate original Purchase Contract to the property owners and will deliver a photocopy of the Purchase Contract to Chicago Title Company for opening of the escrow

associated with this transaction. Real Property will keep an original Purchase Contract in its files. The Office of the Clerk of the Board will get a photocopy of the Purchase Contract for its files.

Concurrence: County Counsel
Risk Management
Auditor-Controller
Real Property

Attachments:
Original and duplicate original Real Property Purchase Contracts and Escrow Instructions for the West Green Canyon Flood Control Project (R-062).