



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/Public Works  
**Department No.:** 063/054  
**For Agenda Of:** March 1, 2016  
**Placement:** Administrative  
**Estimated Time:**  
**Continued Item:**  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Matthew P. Pontes, General Services 560-1011  
Directors: Scott McGolpin, Public Works 568-3010  
Contact Info: Janette Pell, Interim Assistant Director of General Services 568-3096  
Mark Schleich, Deputy Director of Resource Recovery & Waste Management, 882-3603  
**SUBJECT: Right of First Refusal to Purchase 14440 Terra Vista Drive by Resource Recovery and Waste Management Division – Pavelka Property; Third Supervisorial District (RP File #3795)**

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: N/A

As to form:

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:** That the Board of Supervisors:

- a) Approve and authorize the Clerk to execute to execute the attached Certificate of Acceptance consummating the purchase and accepting title to the real property conveyed from Marco Pavelka and Monica Pavelka, husband and wife, for the property located at 14440 Terra Vista Drive, in the unincorporated area of the County of Santa Barbara, known as Assessor Parcel Number 081-150-033.

**Summary Text:**

At the February 9, 2016 Board Hearing, the Board of Supervisors adopted the Resolution of Intent to Purchase Real Property, and approved the Purchase Agreement and Escrow Instructions and Budget Revision for the County's acquisition of the property located at 14440 Terra Vista Drive, in the unincorporated area of the County of Santa Barbara, known as Assessor Parcel Number 081-150-033 ("Property"). Execution of the attached Certificate of Acceptance will allow escrow to close on the property and title to be vested in the County.

**Background:**

The Board of Supervisors adopted a Resolution of Intent to Purchase Real Property on February 9, 2016, for the proposed acquisition of the 20 acre property located at 14440 Terra Vista Drive, in Gaviota, adjacent to the County's Tajiguas Landfill. The Notice of Resolution of Intent was posted by the Clerk of the Board, and published once a week for three successive weeks in the Santa Maria Times, in accordance with California Government Code Sections 25530 and 6063. The Notice of Exemption approved by the Board concurrently with the Resolution of Intent to Purchase Real Property was based on Section 15061(b)(3) of the CEQA Guidelines. That Notice was also posted by the Clerk of the Board in accordance with the CEQA Guidelines.

A copy of the Purchase Agreement and Escrow Instructions was subsequently delivered to Chicago Title, the escrow holder, and escrow was opened. In accordance with the Purchase Agreement, title reports were reviewed for the Property and the condition of the Property was evaluated. Staff has determined that the condition of the Property and title to the Property satisfy the County's requirements for acquisition. A standard California Land Title Association owner's policy of title insurance will be issued for the Property prior to the close of escrow.

The purchase price for the Property is \$975,000. The Budget Revision approved by the Board at the February 9, 2016 Board Hearing in the amount of \$2,550,000 will fund this escrow for the purchase of the Property and for related escrow fees and costs. That revision will also fund the escrow opened for the purchase of the property immediately adjacent to this Property.

The purpose of purchasing this property is to preserve the land for long-term agricultural use, and to provide open space and a buffer adjacent to the Tajiguas Landfill. In accordance with California Government Code Section 65402, a request was made to the County's Planning Commission for a determination as to the conformity of the purchase with the County's general plan. At the February 10, 2016 Planning Commission Hearing, the acquisition was unanimously determined by the Commission to be in conformity with the applicable general plan. Approval and execution of the attached Certificate of Acceptance will allow the escrow holder to record the grant deed transferring title to the Property to the County.

**Fiscal and Facilities Impacts:**

The purchase of the land is funded by Public Works Resource Recovery Fund retained earnings.

**Special Instructions:**

Clerk of the Board, please distribute as follows:

1. Clerk of the Board to return the original copy of the Certificate of Acceptance to General Services, Attn: A. Kinsella, for recordation with the Grant Deed.

**Attachments:**

1. Certificate of Acceptance
2. Copy of Grant Deed