

## 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: November 1, 2011
Placement: Administrative

 $\begin{array}{lll} \text{Estimated Tme:} & N/A \\ \text{Continued Item:} & N_0 \\ \text{If Yes, date from:} & N/A \\ \text{Vote Required:} & Majority \\ \end{array}$ 

**TO:** Board of Supervisors

FROM: Department Robert Nisbet, Director (560-1011)

Director(s) General Services Department

Contact Info: Paddy Langlands, Assistant Director (568-3096)

**Support Services Division** 

SUBJECT: Amendment to Existing Grant of Easements; and a New Grant of Easements and

Agreement, Among Brooks Trust (APN:029-110-027) and County of Santa

Barbara (APN:029-110-023 & 029-202-001) and Santa Barbara Bowl Foundation for an enlarged Public Utilities, Access, and Slope Easement, and Drainage Easement on Brooks Trust Property; ORES Folio: 001076; First Supervisorial

**District** 

**County Counsel Concurrence** 

**Auditor-Controller Concurrence** 

As to form:

#### Other Concurrence:

As to form:

As to form: Yes

#### **Recommended Actions:**

That the Board of Supervisors:

- a) Approve the attached <u>Notice of Exemption</u> pursuant to the California Environmental Quality Act (CEQA) guidelines (Post); and
- b) Execute and accept the attached <u>Amendment to Grant of Easements and Agreement</u> relating to Brooks Trust conveying an amended easement to the County to enlarge the existing easement area for the purpose of access, slope maintenance, utilities, and temporary construction easement over Brooks Trust property (APN: 127-110-027), in the City of Santa Barbara, California, for the minor realignment of existing utilities and to improve access and slope maintenance.
- c) Execute and accept the attached <u>Grant of Easements and Agreement</u> relating to Brooks Trust conveying a new easement to the County for drainage purposes over Brooks Trust (APN:127-110-027) property, in the City of Santa Barbara, California, for the minor realignment of existing utilities and to improve slope maintenance.

Subject: Grant of Easements and Agreement; ORES Folio No. 001076; First Supervisorial District

Agenda Date: November 1, 2011

Page: 2 of 3

### **Summary Text:**

The attached Amendment to the existing Grant of Easements and Agreement provides the County with an enlarged easement area (approximately an additional 1181 sq. ft.) for the replacement and/or removal of underground utilities, slope easement, temporary construction easement, and access over portions of Brooks Trust property. All other rights previously granted remain the same.

The new attached Grant of Easements and Agreement will provide the County with the necessary easement area of approximately 7,848 square feet for drainage purposes which is located on a portion of Brooks Trust property. The easement will improve slope maintenance for the County Bowl property.

#### **Background:**

The County is the owner of that certain real property located in the City of Santa Barbara, County of Santa Barbara, commonly known and referred to as the Santa Barbara County Bowl (APN:029-202-023) together with the outdoor amphitheater, buildings and improvements which are currently leased to the Santa Barbara Bowl Foundation. Under the terms of the lease, the Bowl Foundation is required to make capital improvements to the facility pursuant to their Master Plan. These capital improvements require new and upgraded utilities, improved access, landscaping, and other necessary improvements. The attached Amendment to Grant of Easements and Agreement will specifically grant the County an enlarged easement area for public utilities, access, and slope stabilization over Brooks Trust property. The new Grant of Easements and Agreement will provide the County an easement for drainage purposes over Brooks Trust property. Both Grants of Easements will benefit the County Bowl property for the Bowl Foundation's necessary and appropriate improvements for implementation of the Master Plan.

### Fiscal and Facilities Impacts:

Budgeted: No. There are no facilities impacts connected with this project.

#### Fiscal Analysis:

Narrative: The easement is being granted at no cost to either party.

#### **Special Instructions:**

- A) Clerk of the Board shall post and file a copy of the <u>Notice of Exemption</u> after Board approval, and such notice shall remain posted for 35 days.
- B) Upon the Board's execution of the Amendment to Grant of Easements and Agreement and the Grant of Easements and Agreement, the Clerk of the Board shall return the both original documents to the Office of Real Estate Services. The Office of Real Estate Services shall record the document, and return a certified copy of the document to the Clerk of the Board.
- C) After Board action, the Clerk should distribute as follows:

1. Original Notice of Exemption Clerk of the Board Files

2. Copy of Notice of Exemption GS/Real Estate Services, Attn: R.Carlentine

3. Original Amendment to Grant of Easements and Agreement

GS/Real Estate Services, Attn: R.Carlentine

Subject: Grant of Easements and Agreement; ORES Folio No. 001076; First Supervisorial District

Agenda Date: November 1, 2011

Page: 3 of 3

4. Copy of Amendment to Grant of Easements and Agreement

5. Original Grant of Easements and Agreement

6. Copy of Grant of Easements and Agreement

7. Minute Order

Clerk of the Board Files

GS/Real Estate Services, Attn: R.Carlentine

Clerk of the Board Files

GS/Real Estate Services, Attn: R.Carlentine

## **Attachments:**

Notice of Exemption Amendment to Grant of Easements and Agreement Grant of Easements and Agreement

# **Authored by:**

Ronn Carlentine, Office of Real Estate Services