



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: Flood Control
Department No.: 054
For Agenda Of: May 14, 2019
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Flood Control and Water Conservation District
FROM: Department Scott D. McGolpin, Director of Public Works, 568-3010
Director
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436
SUBJECT: Van Wingerden Quitclaim Deed for Flood Control Easement over Portion of APN:
004-004-037, First Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Directors:

- a) Approve and authorize the Chair to execute the attached Quitclaim Deed relinquishing ownership of a Santa Barbara County Flood Control and Water Conservation District easement for placement of material removed from flood control channels and basins over a portion of the real property known as Santa Barbara Assessor's parcel number 004-004-037, commonly known as 5134 Foothill Road (previously known as 5154 Foothill Road) between Linden Avenue and Seacoast Way, in the unincorporated area of Carpinteria; and
- b) Determine that the proposed action is not a project under the California Environmental Quality Act, pursuant to Guidelines Section 15378(b)(5), organizational or administrative activities that will not result in a direct or indirect physical change in the environment.

Summary Text:

This item is on the agenda in order to approve the Quitclaim Deed (Attachment A) to comply with the written request from the property owner (Attachment B) to terminate the easement per Condition 3 of the original recorded Easement Deed (Attachment C).

Background

On September 12, 2006, the District accepted an easement over a portion of the real property known as Santa Barbara Assessor’s parcel number 004-004-037, commonly known as 5134 Foothill Road (previously known as 5154 Foothill Road) between Linden Avenue and Seacoast Way, in the unincorporated area of Carpinteria. The Easement Deed was recorded on March 12, 2007 as Document #2007-0018033 of official records in the Office of the County Recorder of Santa Barbara County. The easement was for the purpose of the placement of material removed from flood control channels and basins.

Under Condition 3 of the original Easement Deed, the property owner (Grantor) could terminate the easement upon written request to the District. Upon such termination of the easement, the District is required to execute and record a release, quitclaim, or other similar document. In March of 2019, the District received a letter from the R&J Van Wingerden Family Trust requesting termination of the easement per Condition 3 of the Easement Deed.

California Government Code Section 65402 requires a determination by the Planning Commission as to the conformity of any property acquisition and/or disposal with the County of Santa Barbara’s General Plan. A General Plan conformity request was submitted to the Planning and Development Department on March 26, 2019 and is deemed to be in conformity.

Fiscal and Facilities Impacts:

None.

Special Instructions:

After Board action, please distribute as follows:
Return the original Quitclaim Deed to Flood Control District Office, Attn: J. Martyniuk, for recordation.
Forward a copy of the Minute Order to the Flood Control District office: Attn: Christina Lopez.

Attachments:

- Attachment A: Quitclaim Deed
- Attachment B: Request Letter from Property Owner
- Attachment C: Easement Deed

Authored by:

Joyce Martyniuk, Flood Control District, 568-3455