



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 18, 2008
Placement: Administrative Set
Hearing Date
Estimated Time: 10 Minutes on 12/09/08
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Bob Nisbet (560-1011)
Director(s) General Services Department
Contact Info: Paddy Langlands, Assistant Director (568-3096)

SUBJECT: **Santa Claus Lane Beach Access Acquisition Project – First Supervisorial District**

County Counsel Concurrence

As to form: Yes

Other Concurrence: Parks

As to form: Yes

Recommended Actions:

That the Board of Supervisors set a hearing on December 9, 2008 to:

Adopt the Resolution of Necessity to acquire real property in fee simple interest for all the uses and purposes of beach access and beach use and any related public improvements on property identified as owned by Jean B. Saxby (005-440-002) and Laura A. Maloney and Josephine F. Babcock (005-440-003), in the incorporated area of the County of Santa Barbara, located on the ocean side of the Union Pacific Railroad Company's right of way, in the Santa Claus Lane area of the Carpinteria Valley. (2/3 vote)

Summary Text: The Resolution of Necessity encompasses the acquisition of two vacant parcels for all the uses and purposes of beach access and beach use. It is in the public interest and necessity to acquire these parcels to show public ownership on either side of the railroad tracks for the Public Utility Commission to consider the County's permit application for an at grade railroad crossing in the Santa Claus Lane Beach area. Upon adoption of this Resolution, County Counsel and Special Legal Counsel of Law Offices of Oliver, Sandifer and Murphy shall commence with the necessary condemnation proceedings in Superior Court.

Auditor-Controller Concurrence

As to form: Yes

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Background:

A notice and an opportunity to be heard was not given to the above referenced persons because no persons are shown on the last equalized County assessment roll for the real property to be acquired herein and that said persons are difficult to find through the public record and/or deceased. A proper Appraisal Report was provided on the property interest to be acquired. The offer of just compensation will be deposited into the State Eminent Domain Account.

Pursuant to Section 1245.235 of the Code of Civil Procedure, a hearing for the owner must be held prior to adoption of a Resolution of Necessity.

Pursuant to Government Code Section 65402, the Planning Commission will hear this item prior to the set date of December 9, 2008. The 65402 Planning Commission report may need to be distributed to the Board late due to scheduling this item on the Planning Commission Agenda.

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis:

Narrative: Financial analysis and review shall be provided in the Hearing Board Letter for December 9, 2008.

Special Instructions:

Upon approval and execution, the Clerk of the Board should distribute as follows:

- | | |
|-----------------|---|
| 1. Minute Order | Official File |
| 2. Minute Order | Gen Svcs/Real Estate Svcs – Attn: Ronn Carlentine |
| 3. Minute Order | Parks Department – Attn: Claude Garciacelay |

Attachments: Resolution

Authored by: Ronn Carlentine, Gen. Svcs. Dept./Office of Real Estate Services