

**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: March 9, 2005
Department: General Services
Budget Unit: 063
Agenda Date: March 22, 2005
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Tom Alvarez, Director
General Services Department

**STAFF
CONTACT:** Ronn Carlentine (568-3078)
Real Property Manager

SUBJECT: Resolution Declaring Real Property as Surplus (Isla Vista)
Third Supervisorial District

Recommendations:

That the Board of Supervisors:

a) Approve the Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines for the above referenced project (Post); and

b) Adopt the Resolution Declaring Real Property Surplus regarding the County owned property known as Santa Barbara County Assessor's Parcel No. 075-202-037 (Lots 31 & 32) which property is located along the frontage of the coastal bluffs on Del Playa Drive in Isla Vista, and authorize the Chair to execute said Resolution.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 1; An Efficient Government Able to Respond Effectively to the Needs of the Community and with actions required by law or by routine business necessity.

Executive Summary and Discussion:

The County of Santa Barbara is the fee owner of County Assessor's Parcel No. 075-202-037 (Lots 31 & 32), two unimproved vacant legal lots of land located along the frontage of the coastal bluffs on Del Playa Drive, Isla Vista, in the unincorporated area of the County of Santa Barbara.

The County purchased fee title to the subject property in 1991. The subject property is zoned for residential development and water is available.

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In 1991, the subject property was being acquired for open space and recreation. However, after evaluating the use as open space and recreation in these locations, it has been determined that the use of the subject property for open space is restricted and limited due to the proximity of developed parcels adjacent to the subject property.

Upon adoption of the resolution declaring the subject property as surplus, Real Estate Services will initiate steps under the required Government Codes to dispose of the subject property. The steps shall consist of offering the subject property to all required public agencies, and public bidding opportunities. The step-by-step description of the surplus property process is attached. (This Resolution is step 5 on the attachment). If no acceptable bids are received the subject property will be listed for sale with a local real estate broker.

The surplus property sale procedure may consist of the following:

- 1). Sale of the surplus property by the bid process 6-7 months
- 2). If the bidding process doesn't result in a sale of the surplus property, reject all bids, and then list the subject property with a real estate broker. 7-10 months

Mandates and Service Levels:

No change in programs or service levels.

Fiscal and Facilities Impacts:

The proceeds from the sale of the subject property will be available for future use.

There are no facilities impacts associated with this action.

Special Instructions:

After Board action, distribute as follows:

- 1). Original Resolution Clerk File
- 2). Copy of Resolution & Minute Order Real Estate Services, Attn: Ronn Carlentine
- 3). Copy of Notice of Exemption Real Estate Services, Attn: Ronn Carlentine

- Clerk:**
- 1). Please publish the above referenced Resolution once a week for three weeks in the Santa Barbara Newspress. Please deliver proof of publication to Ronn Carlentine, Real Estate Services Office, General Services.
 - 2). Please Post CEQA notice.

DECLARE SURPLUS PROPERTY & SELL COUNTY FEE-OWNED REAL PROPERTY

1. **BOS ACTION:** AUTHORIZATION TO PROCEED BY BOARD OF SUPERVISORS. (Closed or Pubic Session) (Real Property fees may be paid from proceeds of sale).
2. SEND MEMO TO TREASURE OFFICE REGARDING STATUS OF ANY DEBT OF COP LOANS ON THE PROPERTY.
3. NOTIFY ALL COUNTY DEPARTMENT HEADS OF COUNTY'S INTENT TO DECLARE LAND EXCESS AND SELL IT.
4. IF NO COUNTY DEPARTMENTS REQUIRE THE LAND, THEN SEND REQUEST FOR CEQA REPORT AND MEMO TO P&D ON GENERAL PLAN COMFORMITY (**CODE 65402 THEY HAVE 40 DAYS TO RESPOND**).
5. **BOS ACTIONS:** APPROVE CEQA, ADOPT RESOLUTION DECLARING PROPERTY AS EXCESS TO COUNTY NEEDS (**CODE 25521 2/3 VOTE**) AND RESOLUTION REQUIRES 3 WEEK PUBLICATION, AUTHORIZE REAL ESTATE SERVICES. TO MARKET THE SALE OF THE PROPERTY.
6. OFFER LAND TO OTHER PUBLIC AGENCIES (**CODE 54222 THEY HAVE 60 DAYS TO RESPOND**).
Completed during the 60 days (7,8,9,& 10)
7. APPRAISAL: SEND REQUEST FOR APPRAISAL PROPOSALS, THEN ORDER APPRAISAL. PREFORM ENVIRONMENTAL SITE ASSESSMENT.
8. REVIEW APPRAISAL/ MAKE APPRAISAL AVAILABLE TO PUBLIC AGENCIES UPON REQUEST.
9. IF NO AGENCIES INTERESTED, THEN SEND OUT REQUEST FOR PROPOSAL TO LOCAL BROKERS ASKING FOR OPINION OF VALUE AND MARKETING PROPOSALS.
10. **BOS ACTIONS:** SET THE DATE FOR ADOPTION OF A RESOLUTION OF INTENT TO SELL & REQUEST FOR BIDS & ARRANGE FOR DEPARTMENTAL AGENDA (4 WEEKS IN FUTURE FOR BID OPENING). THE RESOLUTION SETS THE MINIMUM BID, THE DATE FOR BID OPENING ETC. & MUST BE PUBLISHED FOR 3 WEEKS (**CODE 25526/25530/25531/25527**).
11. **BOS ACTIONS:** ON DATE SET FOR BID OPENING THE DEPARTMENT HEAD MAKES SHORT STATEMENT ABOUT THE PROPERTY AND THE STEPS TAKEN TO ARRIVE AT THIS POINT (DECLARED SURPLUS, OFFERED TO OTHER AGENCIES...) AND TURN OVER PROCESS TO CLERK OF THE BOARD. CofB CALLS FOR WRITTEN BIDS, READS SAME INTO THE RECORD. CofB THEN CALLS FOR ORAL OVER BIDS (1ST OVERBID MUST BE 5% HIGHER THAT HIGHEST WRITTEN BID, NO MINIMUM INCREASE AFTER THAT). ACCEPT A BID OR REJECT ALL BIDS. (**CODE 25530/25531/25527**)
12. IF A BID IS ACCEPTED, THEN PREPARE SALE CONTRACT AND RESOLUTION OF INTENT TO SALE (sets date for County's execution of the Grant Deed); OBTAIN COUNTY STAFF SIGNATURES ON SALE CONTRACT and RESOLUTION. **IF NO BID IS ACCEPTED GO TO #17 BELOW.**
13. SEND SALE CONTRACT TO BUYER FOR SIGNATURE.
14. **BOS ACTIONS:** PROCEED TO THE BOS FOR EXECUTION OF SALE CONTRACT & RESOLUTION OF INTENT TO SALE. (**CODE 25526**)
15. OPEN ESCROW: EXECUTE ESCROW INSTRUCTIONS, ETC.
16. **BOS ACTIONS:** EXECUTES GRANT DEED ON DATE SET IN ABOVE RESOLUTION (#12). DELIVER DEED TO ESCROW.
17. IF BID IS NOT ACCEPTED, THEN EITHER ADVERTISE THE PROPERTY FOR SALE OR LIST IT FOR SALE WITH A LOCAL BROKER.
18. CLOSE ESCROW.
19. UPDATE REAL PROPERTY INVENTORY
20. SALE PROCEEDS (**CODE 25523**)

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: General Services Department, Facility Services Division, Real Property

Based on a preliminary review of the project the following activity is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN(s): 075-193-012 (Lot 40) and 075-202-037 (Lots 31 & 32)

Santa Barbara County Project No.: (Real Property Folio No. 003483)

Location: Land located along Del Playa Drive on the coastal bluffs of Isla Vista, in the unincorporated area of the County of Santa Barbara.

Project Title: Declaring Real Property as Surplus Property

Project Description: Declare County-owned real property as surplus and to sell the property.

Exempt Status: (Check one)

- Ministerial
- Statutory
- Categorical Exemption [15312]
- No Possibility of Significant Effect

Cite specific CEQA Guideline Section: CEQA Guidelines Section 15312 (Surplus Government Property Sale)

Reasons to support exemption findings: CEQA Guidelines Section 15312 states that a project is categorical exempt from CEQA "Class 12 consists of sales of surplus property except for parcels of land located in an area of statewide, regional, or area wide concern identified in Section 15206 (b)(4)". Therefore, this real estate transaction is categorically exempt from CEQA.

Exemption Prepared by Ronn Carlentine, Santa Barbara County, General Services Department, Facilities Services Division.

Department/Division Representative
Bob Nisbet, Assistant General Services Director

Date

Note: A copy must be filed with the County Clerk after project approval and posted by the Clerk for a period of 30 days to begin a 35 day statute of limitations on legal challenges.

Date File of the City Clerk

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

RESOLUTION NO. _____

In the Matter of the Board of)
Supervisors to Declare County-)
Owned Property Known as Lots 31 &)
32 of APN: 075-202-037, as Surplus)

**RESOLUTION DECLARING REAL
PROPERTY AS SURPLUS**

Gov. Code Section 25521

2/3 vote required

WHEREAS, the County of Santa Barbara in 1991 acquired Lots 31 & 32 of Assessor Parcel Number 075-202-037, (hereinafter the "Property"); and

WHEREAS, the use of the Property that had being acquired, is a use authorized by law and the acquisition of the Property was necessary to the use; and

WHEREAS, the COUNTY finds the use as open space and recreation in these locations to be restricted and limited due to the proximity of developed parcels adjacent to the Property, and therefore limiting the community's use of the Property for its intended use; and

WHEREAS, the sale of the Property will generate funds that allow the County to purchase vacant parcels of open space that can be combined with existing vacant open space parcels already owned by the County, creating a large, 2-acre parcel of open space well suited for open space recreational uses; and

WHEREAS, the Board of Supervisors of Santa Barbara County deems it advisable to declare the Property in excess of its foreseeable needs; and

WHEREAS, pursuant to the authority granted by Government Code Section 25521, the Santa Barbara County Board of Supervisors hereby directs the General Services Department to sell the Property.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors of the County of Santa Barbara, State of California does hereby find, determine and order as follows:

1. That the above recitals are true and correct.
2. That the Board of Supervisors hereby finds that Lots 31 & 32 of Assessor Parcel Number 075-202-037 as shown on "Exhibit A" attached hereto, are in excess of the County's needs and declares it to be surplus property.

3. That the Board of Supervisor does hereby direct the Department of General Services, Real Estate Services Office, to proceed with the sale of the Property. The sale of the Property will include the following tasks: valuation, a California Environmental Quality Act review, publication, noticing to agencies and public bidding opportunities. The sale of the Property will eliminate the County's liability associated therewith.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara,

State of California, this _____ day of _____, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

COUNTY OF SANTA BARBARA

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

Chair, Board of Supervisors

By: _____
Deputy Clerk

APPROVED AS TO FORM:
STEPHEN SHANE STARK
COUNTY COUNSEL

APPROVED AS TO FORM:
ROBERT W. GEIS, CPA
AUDITOR-CONTROLLER

By: _____
Deputy

By: _____
Deputy