

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 16, 2006
Department: Public Works
Department No.: 054
Agenda Date: May 16, 2006
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Phillip M. Demery, Director
Public Works Department

STAFF CONTACT: Scott McGolpin; 568-3005 Michael B. Emmons; 568-3012
Deputy Director; Transportation Deputy Director/ County Surveyor

SUBJECT: Acceptance of Easement; Sanja Cota Road (Portion)
Third Supervisorial District

Recommendation(s): That the Board of Supervisors accept the attached Grant of Easement from the United States of America, Bureau of Indian Affairs, by authorizing the Clerk of the Board to sign the Certificate of Acceptance attached thereto; (Clerk, Four-fifths vote required). The Grant of Easement is for the portion of Sanja Cota Road right-of-way located on the Santa Ynez Band of Mission Indians reservation.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 2: A Safe and Healthy Community in Which to Live, Work, and Visit, and with actions required by law or by routine business necessity.

Executive Summary and Discussion:

On September 9, 2003, your Board executed an Intergovernmental Cooperative Agreement addressing the realignment of Sanja Cota Road, related bridge and streambed improvements and maintenance with the Santa Ynez Band of Mission Indians (herein the "Tribe"). Sanja Cota Road is located along the southeastern border of the Tribe's reservation, and provides access to State Highway 246 to the reservation and the Tribe's casino facility. Sanja Cota Road is located partially off-reservation and partially on-reservation. One goal of the Cooperative Agreement is to make Sanja Cota Road a public right-of-way in its entirety. To accomplish this your Board accepted two right-of-way Donation Agreements on September 9, 2003, one from the Tribe and one from Gainey Management, LLC, for a major portion of Sanja Cota Road. The County also submitted an application to the Bureau of Indian Affairs, requesting the transfer of the remainder of the Sanja Cota right-of-way located on the Tribe's reservation land to the County. That right-of-way easement was approved and executed by the Bureau of Indian Affairs and is attached hereto.

Prior to recordation the County must accept the Grant of Easement by executing the Certificate of Acceptance attached thereto.

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Mandates and Service Levels:

No change in programs or service levels.

Fiscal and Facilities Impacts:

The Tribe, under supervision of County Transportation staff is responsible for the maintenance of the new Sanja Cota Road.

Special Instructions:

After Board action, please distribute as follows:

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|----|-----------------------------------|---------------------------------|
| 1. | Original <u>Grant of Easement</u> | Real Property Attn: Jeff Havlik |
| 2. | Copy of <u>Grant of Easement</u> | Clerk of the Board Files |
| 3. | Minute Order | Public Works, Attn: Jeff Havlik |

NOTE: After execution by your Board, Real Property will deliver the original Grant of Easement and Certificate of Acceptance for recordation. After recordation the original recorded documents will be returned to the Clerk of the Board.

Board Letter Authored by: J. Jeffery Havlik
Senior Right-of-Way Agent
568-3073