

**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: 03/20/03
Department Name: Public Works
Department No.: 054
Agenda Date: 04/01/03
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: Dace Morgan – 568-3047
Manager, Engineering Design

Jason Sunukjian – 568-3217
Real Property Agent

SUBJECT: North Jameson Lane Bike Lane and Bridge Replacement – Adoption of Resolution of Public Necessity; County Project No. 863027 (Real Property Folio No. YS 3363); First Supervisorial District

Recommendation(s):

That the Board of Supervisors:

- A. Adopt the attached Resolution of the Board of Supervisors to declare a public necessity for the taking of a Permanent Easement on a portion of APN 007-340-054 and initiate eminent domain proceedings to condemn such Easement, and authorize execution of the Resolution by the Chair of the Board;
- B. Approve the Addendum to the Mitigated Negative Declaration pursuant to the County's California Environmental Quality Act (CEQA) guidelines for the acquisition of the subject Easement.

Alignment with Board Strategic Plan:

The recommendations are primarily aligned with Goal No. 1. An Efficient Government Able to Respond Effectively to the Needs of the Community.

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Executive Summary and Discussion:

The North Jameson Lane Bike Lane and Bridge Replacement Project (the "Project") will add Class II Bike Lanes in both directions of the entire span of North Jameson Lane. Additionally, three bridges (at Oak Creek, San Ysidro Creek and Romero Creek) will be replaced and widened.

The County's Board of Supervisors approved the Project and the November 21, 2001 Addendum to the August 28, 2001 Final Mitigated Negative Declaration (01-ND-27) pursuant to the California Environmental Quality Act (CEQA) on January 15, 2002 (Clerk of the Board File No. 02-00047). The Project has also been found to be in conformity with the County's General Plan in compliance with Government Code Section 65402.

As the Board is now aware, there are sight distance issues with the two private roadways that enter onto North Jameson Lane from the Montecito Avocado Ranch's property adjacent to the San Ysidro Creek bridge replacement. The deficiency in sight distance compromises the safety of the traveling public on North Jameson Lane and also that of the users of these two private roadways (of which there are approximately 15-20 users). It should be noted that the replacement of the existing bridge at San Ysidro Creek will actually improve the existing sight distance deficiency.

Once the sight distance issue was discovered and the remedy identified, efforts were made to negotiate with the owners of the Montecito Avocado Ranch (the servient tenements of both private roads) to relocate these two roads so that they entered onto North Jameson Lane from a different point on the property – a point that conforms to the safe sight distance criteria for the design speed of North Jameson Lane. The Board is reminded here that the initial offer to relocate these roads would have relocated the entrance point to the location on the property that one of the private roads (Tiburon Bay Lane) was supposed to be according to the Record Survey of the Lot Line Adjustment granted to the Avocado Ranch as the result of a Settlement Agreement between the County and the Ranch owners. This offer (to relocate the roads), presented at a face-to-face meeting between the Montecito Avocado Ranch and County staff, was rejected.

Subsequent to that meeting, County Counsel and Public Works recommended to the Board that condemnation proceedings be initiated in order to resolve the issues described above. In the closed session meeting held on March 18th, the Board upheld the recommendation and directed Public Works to return to an open session hearing with a Resolution of Necessity and a CEQA addendum for the Board's consideration.

Mandates and Service Levels:

There are no changes to service levels with this action.

Fiscal and Facilities Impacts:

This project, including Real Property services, is being funded by Highway Bridge Repair and Replacement and State Transportation Improvement Plan funds. The work, including the condemnation

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proceedings referenced herein, has been budgeted in Department 054, Fund 0015, Program 2050, Organizational Unit 0014, Account 7460.

Special Instructions:

After Board action, distribute as follows:

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| 1. | Original Resolution | Clerk of the Board File |
| 2. | Certified Copy of Resolution | Facilities Services,
Attn: Jason Sunukjian |
| 3. | Certified Copy of Resolution | Public Works Department,
Transportation Engineering
Attn: W.H. Vachon |
| 4. | Minute Order | Facilities Services,
Attn: Jason Sunukjian |
| 5. | Minute Order | Public Works Department,
Transportation Engineering
Attn: W.H. Vachon |

Concurrence:

County Counsel