



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

Submitted on:
(COB Stamp)

Department Name: Flood Control
Department No.: 054-04-02
For Agenda Of: September 12, 2006
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:
Vote Required: 4/5

TO: Board of Directors, Flood Control and Water Conservation District
FROM: Department Director: Phillip M. Demery, Public Works Director, 568-3010
Contact Info: Thomas Fayram, Deputy Public Works Director, 568-3436
SUBJECT: Execute Quitclaim on APNs 155-180-073 and -074; Accept Easement on APN 004-004-037

County Counsel Concurrence:

As to form/legality: Yes No N/A

Auditor-Controller Concurrence:

As to form: Yes No N/A

Recommended Action(s):

- A. Execute the attached Quitclaim Deed for an easement over a portion of 4444 Foothill Road, Carpinteria; and
- B. Accept an Easement Deed for an easement over a portion of 5154 Foothill Road, Carpinteria from Rene T. VanWingerden and June B. VanWingerden, trustees for the VanWingerden R/J family trust, by authorizing the Clerk of the Board to sign the Certificate of Acceptance attached to the Easement Deed.

Summary:

This action provides for the quitclaim of an easement on certain property owned by the VanWingerden's and provides a new easement for placement of material from Flood Control operations.

On March 9, 1999 the Santa Barbara County Flood Control & Water Conservation District (herein the "District") accepted a Grant of Easement from Ocean Breeze Properties over a portion of 4444 Foothill Road, Carpinteria (herein the "Property"). That easement allowed the District to deposit soil and sediment removed from flood control channels and basins ("Spoils") on a portion of the Property. The section of the Property designated to receive the material is now full and the District's operations thereon have stopped. The Quitclaim will terminate the easement and the District's right to use the Property.

The new Easement Deed allows the District to deposit Spoils on a portion of 5154 Foothill Road which is also owned by Mr. and Mrs. VanWingerden.

Background:

Following the 2005 flood year, your Board directed staff to seek cooperative land owners to assist the District in locating areas to place excavated material for emergency and routine maintenance operations.

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The District and the VanWingerden's agreed on a new location for this activity and agreed to cease operations on a previous site. Staff continues to seek disposal sites and will return to your Board with additional sites as they become available.

This action received Government Code Section 65402 approval from the Planning Commission on March 22, 2006.

Fiscal and Facilities Impacts:

There is no charge for the Easement Deed. Flood Control facilities and operations may be improved by acceptance of the Easement deed.

Budgeted: Yes No

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized Cost:</u>	<u>Total Project</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative: The cost for Real Property staff time needed to process these actions is estimated at \$3,440.00. The cost of Planning and Development staff time to determine if the above actions are in conformity with the County's adopted General Plan is \$4,558.30.

Staffing Impact(s):

Legal Positions:

FTEs:

Special Instructions:

- | | |
|---------------------------------------|---|
| 1. Original Quitclaim | Surveyors Division, Attn: Jeff Havlik |
| 2. Copy of Quitclaim | Clerk of the Board Files |
| 3. Original Certificate of Acceptance | Surveyors Division, Attn: Jeff Havlik |
| 4. Copy of Certificate of Acceptance | Clerk of the Board Files, Attn: Jeff Havlik |
| 5. Minute Order | Surveyors Division, Attn: Jeff Havlik and
Flood Control, Attn: Christina Lopez |

NOTE: Real Property will deliver the original Quitclaim Deed and the Easement Deed with all attachments for recordation. The original of the Quitclaim and Easement will be returned to Real Property who will deliver them to the Clerk with a request for certified copies. The originals will be delivered to the owner; the certified copies will be retained by the Clerk of the Board, the District and Real Property.

Attachments: (list all)

Quitclaim Deed (APNs 155-180-073 and -074)
Easement Deed (APN 004-004-037)

Authored by:

J. Jeffery Havlik
SR/WA

cc: Larry Fausett