



**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: CEO
Department No.: 012
For Agenda Of: 11/14/06
Placement: Departmental
Estimated Tme: 45 mins.
Continued Item: Continued
If Yes, date from: 11/07/06
Vote Required: Majority

TO: Board of Supervisors
FROM: Michael F. Brown County Executive Officer
Contact Info: Terri Maus-Nisich, Assistant CEO ext. 3412
Dianne Black, Assistant Planning Director ext. 2086
SUBJECT: **Consideration of Agreements between the County of Santa Barbara and University of California at Santa Barbara (UCSB)**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Public Works

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

1. Consider agreements with the Regents of the University of California at Santa Barbara (UCSB) pertaining to:
 - Design, permitting, construction and funding of El Colegio Roadway Project and,
 - North Campus Housing Project Cooperative Agreement
2. Authorize the Chair to sign a letter of transmittal to the California Coastal Commission regarding the University's North Campus Housing Project.

Summary Text:

This item is on the agenda for consideration of two independent, yet interrelated agreements, pertaining to University of California (UCSB) development. The first matter involves the design, environmental review, permits, and construction of a segment of El Colegio Road from Los Carneros Road to Stadium Road, within the community of Isla Vista. The second matter involves the North Campus Housing Project Cooperative Agreement and associated open space dedication and contribution of funds to address traffic impacts.

As negotiations with the University regarding El Colegio Road were still underway at the time this report was prepared, and the University had not yet responded to the County's last, best, and final offer, staff is recommending that based on the outcome of your deliberations, the Board authorize the CEO's office to prepare a letter for the Chair's signature. The letter will communicate the outcome of the Board's deliberation on this matter, for transmittal to the California Coastal Commission for consideration at their November 17, 2006 meeting.

In 1990 the University prepared a Long Range Development Plan (LRDP) and Environmental Impact Report (EIR) to serve as a comprehensive framework for the physical development of the UC Santa Barbara campus over a 15-year period. The EIR identified significant traffic impacts to both on-campus and off-campus streets and intersections; but these impacts could be reduced to a less-than-significant level if mitigation measures identified in the EIR were adopted and implemented by the responsible agencies.

The transportation mitigation measures identified in the 1990 LRDP EIR lists mitigation measures to reduce impacts to a less-than-significant level. The LRDP EIR concludes that if the proposed mitigation measures are implemented, coupled with construction of specific on-campus transportation components of the project description, improvements to El Colegio Road east of Los Carneros will not be necessary. These mitigation measures included UCSB funding for off campus improvements and on-campus projects such as widening Mesa Road.

In 1990, a Cooperative Relations Agreement, and Mitigation Implementation Agreement, between the Regents of the University of California and the City and County of Santa Barbara, Citizens Planning Association, Citizens of Goleta Valley and Isla Vista Association were adopted to facilitate the implementation of the LRDP and EIR Mitigation Measures. The Mitigation Agreement specifies the Mesa Road widening and realignment as a campus priority. The agreement states in the event the University does not receive funding for the Mesa Road improvements, the University and County shall meet and confer to renegotiate their respective rights and obligations regarding traffic impacts resulting from the University's failure or inability to realign and widen Mesa Road.

Also in the Agreement was an exhibit identifying the LRDP mitigation projects off campus and the University's contribution. The agreed upon UCSB contribution totaled \$3,177,000 with annual construction indexing. This does not include Mesa Road improvements which is the 1990 LRDP mitigation responsibility of the University alone. The Mesa Road improvements have been identified annually by the University in the state funded Five Year Capital Improvements Plan, however the project was not funded. In 1991 the total project cost identified in the Plan was over \$6.0 million. Since 1991 construction costs have increased significantly. Overall the following projects called out in the Mitigation Implementation Agreement (MIA) have not been physically constructed:

- Widening of Mesa Road (beneficial impact on El Colegio)
- Realignment of on-campus roads (beneficial impact on El Colegio)
- Widening of Los Carneros between Mesa/El Colegio - funding to current El Colegio proposal
- Widening of El Colegio between Los Carneros and Storke - funding to current El Colegio proposal

Without the Mesa Road widening, and the on-campus projects called out in the LRDP, traffic impacts from UCSB development over the last 15 years have not been fully mitigated. Furthermore, without the Mesa Road improvements, the 1990 LRDP identified traffic impacts have shifted from Mesa Road to the County-owned El Colegio Road and its intersections with Isla Vista streets. As a result of UCSB development, and the campus' inability to widen Mesa Road, the County has observed significant increases in traffic volumes along El Colegio and unacceptable levels of service.

El Colegio Improvements

In 2002, the County was told the University was planning to relocate the proposed graduate student housing (San Clemente project) from Mesa Road, to the north side of El Colegio between Los Carneros and Stadium Way. At this time County staff learned the University planned to abandon the Mesa Road widening and realignment project.

At that time, it was understood by both University and County staff that the University would pay for El Colegio improvements as mitigation for the 1990 LRDP, in-lieu of the Mesa Road Improvements. The County's position has been that the University should pay the cost that it would have paid widening and realigning Mesa Road (in today's dollars, more than \$9.9 million).

In 2005, the California Coastal Commission approved a major amendment to the LRDP allowing construction of the San Clemente project adjacent to El Colegio Road. At that time it was determined that the University and the County would begin negotiations to ensure that El Colegio Road was improved to insure that the anticipated traffic impacts were addressed prior to the opening of the San Clemente dormitory now slated for completion in fall of 2008. Since then, staff from the County and University have been meeting to negotiate a new funding and implementation Memorandum of Understanding (MOU) to provide for roadway construction prior to opening of the San Clemente facility. The last best and final offer from the County on this matter is attached. (Attachment A). The MOU outlines the following funding strategy and responsibilities:

The County agrees :

- To serve as the project applicant for entitlements and any required CEQA.
- To conduct additional environmental review required regarding the project due to time elapsed and proposed change in project scope from that of a roundabout option to that of a 4 lane boulevard.
- Provide design oversight
- Fund lighting and road maintenance costs
- The County's total financial contribution to the project totals \$2.3 million (\$500,000 for in house processing of permits and design review and \$1.8 million toward construction)
-

The University agrees :

- To design and construct the roadway consistent with County of Santa Barbara accepted roadway standards.
- To contribute \$5 million toward \$6.8 million estimated total construction costs.
- To pay for roadway construction (including landscape) costs beyond \$6.8 million

- To address project costs which may result in excess of \$6.8 million

Please see Attachment A for the draft proposed El Colegio MOU.

North Campus Housing Project Cooperative Agreement (Attachment B)

The University of California at Santa Barbara, the County of Santa Barbara and the City of Goleta have been cooperating in the planning of the Ellwood Devereux area for the past five years. Each jurisdiction was committed to comprehensive planning development, resource protection and public access in the area. Additional goals were to resolve outstanding land use conflicts with the owners of the Ellwood Beach property and with UCSB, and provide needed housing for University employees and housing. As a result, the City of Goleta approved a land swap of a portion of the Santa Barbara Shores Park property for the Ellwood Mesa and approved the Comstock housing project and preservation of the entire mesa. The County of Santa Barbara approved an Open Space Plan for the small portion of the open space area in County jurisdiction and also approved the Ocean Meadows housing project. Both of these projects have been certified by the Coastal Commission.

The final piece of this joint planning is the subject of the Cooperative Agreement before the Board of Supervisors. The City of Goleta has this item again scheduled to be heard by their City Council on November 13, 2006. The results of the hearing will be communicated to the Board of Supervisors at their meeting of November 14, 2006. UCSB is scheduled to have the North Campus Housing Plan heard by the California Coastal Commission on November 17th.

The proposed agreement addresses two major issues of concern to the County: (1) contribution of funds toward mitigation of traffic impacts that would result from the proposed housing development and (2) preservation of the West Campus Bluffs and South Parcel under the jurisdiction of UCSB. The agreement provides for UCSB to share in the costs of roadway and intersection improvements required as a result of their housing projects. The costs are based upon the peak hour trips that would be generated by the housing development and the GTIP fees of the City of Goleta and County of Santa Barbara. Funds due to the County of Santa Barbara based on the units presently under consideration total \$800,000. These funds will be directed to the El Colegio Roadway project described previously within this report.

With respect to open space, the agreement provides a commitment from the University that the areas to be preserved will be preserved permanently. However, no mechanism is proposed to ensure the long term preservation. Since permanent preservation of the bluff area is a key goal of the regional cooperation, staff recommends that the Board of Supervisors support the Coastal Commission staff's suggested modification 6a which requires the University to record an offer to dedicate or grant of our open space easement over the South Parcel prior to construction of housing to assure its permanent preservation.

