



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: Public Works/Flood
Control
Department No.: 054
For Agenda Of: May 17, 2022
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors and Board of Directors, Flood Control and Water Conservation District

FROM: Department Director(s) Janette D. Pell, General Services Director (805) 560-1011
Scott D. McGolpin, Public Works Director (805) 568-3010

Contact Info: Skip Grey, Assistant Director, General Services (805) 568-3083
Walter Rubalcava, Deputy Director, Water Resources Division, (805) 568-3436

SUBJECT: 003867- Stow Flood Control Easement Vacation and Quitclaim, Third Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Approve and adopt the Summary Order to Vacate A Flood Control Easement vacating the County's interest in the Flood Control Easement in accordance with California Streets and Highways Code Section 8333; and

That the Board of Directors of the Flood Control and Water Conservation District:

- b) Find that, pursuant to Section 74-32 of the California Water Code Appendix, the flood control easement located at 1001 La Patera Road, in the unincorporated area of the

Stow Flood Control Easement Vacation and Quitclaim, Third Supervisorial District

Agenda Date: May 17, 2022

County of Santa Barbara (Assessor Parcel Number 077-020-034) created by the Easement Deed recorded on July 20 1964, as Instrument Number 31043, in Book 2061, Pages 18 & 19 of official records in the Office of the County Recorder of Santa Barbara County (the “Flood Control Easement”) is no longer necessary to be retained for flood control purposes; and

- c) Approve and adopt the Resolution of Findings and Summary Order to Vacate A Flood Control Easement vacating the District’s interest in the Flood Control Easement in accordance with Section 74-32 of the California Water Code Appendix and California Streets and Highways Code Section 8333; and

That the Board of Supervisors and Board of Directors:

- d) Approve and authorize the Chair of the Board of Supervisors and Chair of the Board of Directors, respectively, to execute the attached Quitclaim Deed releasing the County’s and the District’s interest in the Flood Control Easement.
- e) Find that the above actions are exempt from the California Environmental Quality Act (CEQA) guidelines pursuant to Section 15061(b)(3), finding that the vacation/termination action is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and approve and direct staff to file and post the attached Notice of Exemption on that basis.

Summary Text:

This item is on the agenda requesting the Board of Supervisors’ and the Board of Directors’ approval and execution in order to vacate and quitclaim a Flood Control Easement that the County and the District have no records of maintaining or using the Easement nor is the Easement needed by the District. If executed and recorded the Resolution and the Quitclaim will release the County and the District interest in the Easement in a portion of Assessor Parcel Number 077-020-034, located at 1001 La Patera Road, within an unincorporated area of the County of Santa Barbara.

Background:

In 1964, the Stow Company granted an easement to the County and District for flood control purposes, recorded on July 20, 1964, as O.R. #31043, in Book 2061, Pages 18 & 19 of official records in the Office of the County Recorder of Santa Barbara County. Although there have been improvements constructed in and adjacent to the easement area, Flood Control representatives visiting the site acknowledge that Flood Control did not construct the improvements and the easement area has not been used by the County for many years. Flood Control has no knowledge of who may have constructed the improvements. County Transportation indicated they too had no knowledge of the improvements or the easement. After review, Flood Control management and staff agree the easement should be terminated, thus releasing the County and District of any and all interest in the easement in, over, under and across a portion of Assessor Parcel Number 077-020-034.

Performance Measure:

N/A

Fiscal Analysis:

There are no costs associated with this action.

Staffing Impacts: None.

Fiscal and Facilities Impacts: None.

Special Instructions:

After Board and District action, please distribute as follows:

1. Return the original Resolutions and Summary Orders to Vacate to General Services, Attn: A. Chumney, for recordation
2. Return the original Quitclaim Deed to General Services, Attn: A. Chumney, for recordation.
3. Forward a copy of the Minute Order to the Flood Control District office: Attn: Christina Lopez and to General Services/Real Property Division, Attn: A. Chumney

Note: Upon recordation, Real Property will return copies of the recorded Quitclaim Deed to the Clerk for file and reference.

Attachments:

1. Attachment 1 – Summary Order to Vacate
2. Attachment 2 – Resolution and Summary Order to Vacate
3. Attachment 3 – Quitclaim Deed
4. Attachment 4 – CEQA Notice of Exemption

Authored by:

Alexandra Nguyen Rivera, Real Property Agent, Real Property

