



**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: General Services
Department No.: 063
For Agenda Of: December 4, 2007
Placement: Departmental
Estimated Tme: 20 minutes
Continued Item:
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Bob Nisbet, Director (560-1011)
Director(s) General Services Department
Contact Info: Paddy Langlands, Assistant Director (568-3096)
Support Services Division
SUBJECT: **Acquire Surplus Caltrans Property at Burton Mesa and Harris Grade;
Folio #003530;
Third Supervisorial District**

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors direct General Services staff to purchase Parcels 2261-01-02 and 2265-01-02 located at the intersection of Burton Mesa and Harris Grade Roads, in Lompoc, through the Caltrans public sale process which requires competing for the parcels in a public auction in order to eliminate the public use restriction set by Caltrans policy (Option #1)

Summary Text:

This item went before the Board on November 6, 2007. The recommendation was to purchase Caltrans parcels 2261-01-02 and 2265-01-02 (maps attached), totaling approximately 21.61 acres of unimproved land at the intersection of Burton Mesa and Harris Grade Roads (Old Hwy. 1) in Lompoc, California using Park Funds and restrict the future use of the parcels to open space. The Board directed staff to return with options to purchase the parcels such that there would be no restrictions on their future use. The only opportunity for the County to purchase Caltrans land that would normally qualify for public sale would be to compete for it in a public auction. Then and only then, would the County not be restricted to the public use of the property.

Subject: Acquire Surplus Caltrans Property at Burton Mesa and Harris Grade;
Folio # 003530; Third Supervisorial District

Agenda Date: December 4, 2007

Page 2 of 3

Background:

In July of 2004, Caltrans offered the County of Santa Barbara several surplus properties for sale prior to offering them on the open market. In 2004, the County purchased one of these parcels for the Lompoc Fire/Sheriff Public Safety Facility. At that time, the Board directed staff to pursue the other remaining parcels for potential park uses. Caltrans' rules require that the sale of any surplus land offered exclusively to government agencies restricts the use for public use only. The exclusive offer to the County is permitted pursuant to Dept. of Transportation, Right of Way Manual (RWM) Guidelines. Those guidelines are driven by California Transportation Commission Resolution G-98-22, which dictates the protocol for such a sale and corresponding exclusivity. Section 2.2 of Resolution G-98-22 (copy attached) spells out the basis for the protocol. The policy that derives from that is found in RWM Section 16.05.09.02 (also attached) and was referenced in the option agreements submitted to the County. For the County to purchase these parcels and not be restricted by the attached rules, all other government agencies must turn down the parcels first, at which time Caltrans could legally offer the parcels up to a public option (see Option #1 below). Several other options are also presented.

Options:

- 1) Allow Caltrans to complete the process of offering the parcels exclusively to government agencies and then compete for the parcels when they are offered in a public auction. If the County were successful in bidding on the parcels, there would be no restrictions on future use of the land. The parcels would need to be purchased using the General Fund.
- 2) Purchase the parcels through the current process, but change the designated use in the resolution from "open space" to "general public facilities". The parcels would need to be purchased using the General Fund.
- 3) Purchase the parcels through the current process, but change the designated use in the resolution from "open space" to "active park space". The parcels could be purchased using Park Funds.
- 4) Purchase the parcels as previously recommended with the designated use being "open space".
- 5) Do not pursue these parcels.

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis:

Narrative: The ongoing maintenance costs if the parcels were purchased and used as open space are approximately \$5,000 per year.

In Options #1 through #4, a budget revision would need to come back to the Board in order to allocate the appropriate funds. This action would require a 4/5 vote unless submitted with the annual budget.

Subject: Acquire Surplus Caltrans Property at Burton Mesa and Harris Grade;
Folio # 003530; Third Supervisorial District

Agenda Date: December 4, 2007

Page 3 of 3

Special Instructions:

Following Board action, the Clerk should forward a Minute Order to the General Services Department/Office of Real Estate Services, Attn: Connie Smith.

Attachments:

Director's Deed Map DD 2261-01-02

Director's Deed Map DD 2265-01-02

California Transportation Commission Resolution G-98-22 (Procedure for Sale of Excess Property)

Caltrans Right of Way Manual Section 16.05.09.02 (Direct Sales to Governmental Agencies)

Authored by: Connie Smith and Ronn Carlentine, Office of Real Estate Services.