

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: 6/30/2006
Department: Housing & Community Dev.
Budget Unit: 055
Agenda Date: 7/18/2006
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Edward Moses, Director (568-3515)
Housing & Community Development

STAFF CONTACT: Susan Everett (568-2014)
Affordable Housing Program

SUBJECT: Real Property Purchase Contract and Escrow Instructions
Pacific Glen Affordable Housing – 24 Glen Annie Road, Goleta, CA
Third Supervisorial District

Recommendations:

That the Board of Supervisors:

- a. Approve the attached Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines.
- b. Approve and execute the attached Real Property Purchase Contract and Escrow Instructions, in duplicate, between Linda Meehan and the County of Santa Barbara to acquire that certain affordable unit at 24 South Glen Annie Road, Goleta, CA, and known as Assessor Parcel No. 073-480-025, in the purchase price amount of \$236,900.
- c. Adopt the attached Resolution of Intent to Purchase (set date of August 8, 2006 for acceptance).

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with our organizational values regarding economy in government and with actions required by law or by routine business necessity.

Executive Summary and Discussion:

The current property owner resides within the Pacific Glen neighborhood at 24 South Glen Annie Road, Goleta, CA which is an affordable home in the “upper -moderate” income category. The owner informed the County’s Housing and Community Development Department of their intent to sell their home with a Notice of Intent to Sell or Transfer a Price-Restricted Property. This notice was required in Section III, A, 4 of the Transfer of Subject Property in the Resale Restrictive Covenant and Preemptive Right,

instrument number 1999-034342, recorded on April 29, 1999. According to the covenant, the County exercised an Option to Purchase and notified the owner of the County's intent to purchase the home. The County must purchase the home at the Maximum Sales Price as outlined in Section II, C, which defines the Maximum Sales Price as the highest price that an owner is allowed to resell the Subject Property for, inclusive of real estate commissions and closing costs. The Maximum Allowable sales price for this residence is \$236,900.

The attached Resolution of Intent to Purchase Real Property describes the property to be purchased, the price to be paid, the property owner (seller), and a statement of the time the Board will meet to finalize the purchase. The notice of the intention to purchase the property will be published pursuant to Section 6063 of the Government Code. The date the Board will meet to consummate the purchase, through acceptance of the Grant Deed, shall be set for August 8, 2006, on the Administrative Agenda. The close of escrow is anticipated to be August 14, 2006. The property will be re-sold to a qualified buyer for the purpose of maintaining the property as an affordable unit.

Mandates and Service Levels:

No change in programs or service levels.

Fiscal and Facilities Impacts:

The funds to purchase the residence are available from the Affordable Housing Trust Fund (fund 0065).

Special Instructions: After Board action, distribute as follows:

- | | |
|--|---|
| 1. Original Contract | Clerk of the Board Files |
| 2. Duplicate Contract, Certified Contract & Minute Order | Office of Real Estate Services
Attn: Ronn Carlentine |
| 3. Copy of Contract & Minute Order | Housing & Community Development Department
Attn: Susan Everett |

NOTE: Clerk of the Board, the duplicate original Contract will be delivered to the property owner by Housing & Community Development Department. The certified copy of the Contract will be delivered to escrow by Real Estate Services. Upon the recordation of the deed, Real Estate Services will return a copy of the deed to the Clerk for its file and reference.

Attachments:

CEQA-Notice of Exemption
Real Property Purchase Contract and Escrow Instructions, in duplicate
Resolution of Intent to Purchase

NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Housing & Community Development Department

Based on a preliminary review of the project the following activity is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APN(s): 073-480-025

Santa Barbara County Project No.: (Real Property Folio No. 003509)

Location: Pacific Glen - 24 South Glen Annie Road, Goleta, California

Project Title: County of Santa Barbara purchase of fee title to affordable housing unit.

Project Description: The County of Santa Barbara is proposing to purchase an existing affordable housing unit located within Pacific Glen at 24 South Glen Annie Road, Goleta, CA. The purpose of the purchase is to recycle the sale of the unit to secure affordable housing in the South County Housing Market Area.

Exempt Status: (Check one)

- Ministerial
- Statutory
- Categorical Exemption
- No Possibility of Significant Effect [§15061(b, 3)]

Cite specific CEQA Guideline Section: CEQA Guidelines Section 15061 (b, 3) Review for Exemption.

Reasons to support exemption findings: CEQA Guidelines Section 15061 (b, 3) Review for Exemption, states that a project is exempt from CEQA if: “The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” Therefore, this real estate transaction is not subject to CEQA. Any further improvements/ modifications to the property will be subject to applicable permitting requirements.

Exemption Prepared by Ronn Carlentine, County of Santa Barbara, General Services Department, Office of Real Estate Services.

Department/Division Representative
Ronn Carlentine, SR/WA

Date

Note: A copy must be filed with the County Clerk after project approval and posted by the Clerk for a period of 30 days to begin a 35 day statute of limitations on legal challenges.

Date File of the County Clerk

BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

Resolution No. _____

In the Matter of Purchasing Fee)	NOTICE AND RESOLUTION OF
Ownership of 24 S. Glen Annie)	INTENTION TO PURCHASE
Rd., Goleta, CA, Assessor)	REAL PROPERTY
Parcel Number 073-480-025)	(Two Thirds Vote Required)

WHEREAS, Linda Meehan (hereinafter the "OWNER") is the fee owner of that affordable housing property commonly referred to as 24 South Glen Annie Road, in the City of Goleta, and more particularly described as Santa Barbara County Assessor's Parcel No. 073-480-025, consisting of approximately 1,700 square feet of residence, (hereinafter the "Property"); and

WHEREAS, the OWNER informed the Housing and Community Development Department of their intent to sell said Property with a Notice of Intent to Sell or Transfer Income and Price-Restrict Property, as required in section III of the Transfer of Subject Property in the Resale Restrictive Covenant and Preemptive Right recorded on April 29, 1999; and

WHEREAS, COUNTY has exercised an option to purchase said Property and sent the OWNER written notice of the COUNTY'S intent to exercise its option to purchase, as stated in section III A (3&4) of the Transfer of Subject Property in the Resale Restrictive Covenant and Preemptive Right; and

WHEREAS, the County of Santa Barbara (hereinafter the "COUNTY") and the OWNER entered into Real Property Purchase Contract and Escrow Instructions for the purpose of purchasing the Property; and

WHEREAS, both parties agree that it is in their best interests to enter into a contract for COUNTY to purchase the Property,

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Government Code Section 25350 the Board of Supervisors of the County of Santa Barbara, State of California does hereby find, determine and order as follows:

1. The above recitals are true and correct.
2. The Santa Barbara County Board of Supervisors does hereby declare its intention to accept the grant deed for fee simple interest in the Property known as 24 South Glen Annie Road, in the City of Goleta, and more particularly described as Santa Barbara County Assessor's Parcel No. 073-480-025, consisting of approximately 1,700 square feet of residence.
3. It is in the public interest to proceed with the purchase of the Property.

4. That the person selling the Property is:
Linda Meehan

5. That the purchase price to be paid by the COUNTY for the Property is: \$236,900

6. That notice of the intention of the Board of Supervisors to accept the grant deed to the Property be given by publishing a notice once a week, for three (3) weeks prior to the Board's meeting to consummate said acceptance, in the Santa Barbara News Press, a newspaper of general circulation, which is printed and published in the County of Santa Barbara, State of California.

7. That the Santa Barbara County Board of Supervisors will meet in the meeting room of said Board at 105 East Anapamu Street, 4th Floor, in the City of Santa Barbara, County of Santa Barbara, State of California, on **August 8, 2006** to consummate the purchase by accepting the grant deed to the Property.

///

///

///

Passed and adopted by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2006, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

COUNTY OF SANTA BARBARA

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

CHAIR, BOARD OF SUPERVISORS

By: _____
Deputy

APPROVED AS TO FORM:
STEPHEN SHANE STARK
COUNTY COUNSEL

APPROVED AS TO ACCOUNTING FORM:
ROBERT W. GEIS, CPA
AUDITOR-CONTROLLER

By: _____
Deputy

By: _____