



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: Flood Control
Department No.: 054
For Agenda Of: September 11, 2018
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: 4/5

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

FROM: General Services Janette D. Pell, Director, 560-1011
Public Works Scott McGolpin, Director, 568-3010
Contact Info: Tom Fayram, Deputy Director, Water Resources, 568-3436
Skip Grey, Assistant Director, General Services, 568-3083

SUBJECT: **Disposition of Flood Control District and County Fee Property to the City of Solvang, Third Supervisorial District**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

Recommended Actions:

That the Board of Directors:

- a) Adopt the attached Resolution of Findings and Determination of District and County Fee Property as No Longer Necessary for District Uses and Purposes (Attachment 1), which finds that Assessors' Parcel Number 139-300-001 (hereinafter "Lot One") is no longer necessary for Santa Barbara County Flood Control and Water Conservation District (hereinafter "District") uses or purposes, and that disposition of Lot One is in the public interest.

That the Board of Supervisors:

- b) Find that Lot One is no longer necessary for uses and purposes of the County of Santa Barbara (hereinafter "County").

That the Board of Supervisors and the Board of Directors:

- c) Find that conveyance of Lot One to the City of Solvang (hereinafter "City") is in the public interest because it will support the City's project which will increase local potable water supplies to the City through the development of the existing but currently out of service Well Site 22; and

- d) Approve and authorize the Chair to execute the attached Grand Deed (Attachment 2, as Chair of the District Board of Directors and as Chair of the Board of Supervisors), conveying Lot One in fee to the City; and
- e) Consider the environmental effects of the project as shown in the Initial Study/Mitigated Negative Declaration for the Solvang Well 22 Upgrade Project adopted by the Council of the City of Solvang at their regular meeting on February 13, 2017 (<http://www.cityofsolvang.com/DocumentCenter/Index/21>), and find that pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, no substantial changes are proposed, and there are no substantial changes in circumstances or new information of substantial importance regarding significant impacts or feasibility of mitigation measures and alternatives, and therefore approval of the Recommended Actions are within the scope of the Solvang Well 22 Upgrade Project Initial Study/Mitigated Negative Declaration adopted by the City.

Summary Text:

This item is on the agenda in order to determine that Lot One is no longer needed for District or County uses and purposes. Also, to find that conveyance of Lot One is in the public interest, and to approve the conveyance of Lot One to City by executing the Grant Deed. On March 29, 1979, the District and County obtained fee ownership of Lot One by way of dedication through Tract Map No. 12,359 (Attachment 3). Lot One was dedicated to County and District without any specifically identified purpose. Lot One is currently zoned as park land by the City and is approximately 6.6 acres in size and lays adjacent to Rebuild Drive in Solvang. Alamo Pintado Creek runs through the length of Lot One giving the majority of Lot One a riparian area composition.

Granting fee ownership of Lot One to the City will remove Lot One from District's and County's property inventory. Lot One will be conveyed to City for no monetary consideration. District and County will not place any restrictions on City, this is the entirety of the terms and conditions agreed upon.

The City plans to modernize and make necessary improvements to its water extraction facilities, which are located on Lot One. The City's planned upgrades include: minor grading around the wellhead, improvements to piping, installing a new pump and motor, upgrading the antiquated electrical equipment, installing security walls and a gate around the wellhead area and a shed to house tools and new disinfectant equipment, and adding native landscaping. The purpose of the City's project is to increase local water supplies to the City through the activation and upgrade of the presently existing but inactive City Well Site 22. The City completed the drilling and initial pup testing on Well Site 22 in 1997. A permanent casing, sanitary seal, and wellhead were installed at that time. City's project would upgrade the existing well to offset the shortfall in water supply for the residents and businesses of the City. Upon completion of the wellhead upgrades, an 8-inch diameter PVC waterline would be installed to connect the well to the City's distribution system. Lot One will continue to be used for public purposes by the City. This project will assist the City in maintaining a safe and reliable potable water supply, thereby preserving and protecting the health, safety, and welfare of the residents of the City and County.

The CEQA process for the City's Well 22 Upgrade Project was addressed by an Initial Study and Negative Declaration adopted by City on February 13, 2017. Pursuant to CEQA Guidelines Section 15162, no

substantial changes are proposed, and there are no substantial changes in circumstances or new information of substantial importance regarding significant impacts or feasibility of mitigation measures and alternatives. Final and Draft Initial Study and Mitigated Negative Declaration can be accessed at: <http://www.cityofsolvang.com/DocumentCenter/Index/21>. County has issued City the necessary permits to begin the Well 22 Upgrade Project on Lot One.

California Water Code Appendix section 74-32 authorizes the District to dispose of its real property if it determines by resolution that the property is no longer necessary to be retained for flood control uses and purposes. Upon such a finding, the District can dispose of the property in the same manner prescribed for such action by counties. California Government Code section 25365(a) authorizes any county, upon a 4/5 vote by its board of supervisors, to grant, convey, quitclaim, assign, or otherwise transfer any real property, or interest belonging to it without complying with any other Government Code provisions, if the property or interest being granted and conveyed or quitclaimed is not required for county use. As set forth in the Resolution, Lot One is no longer necessary for District or County uses and purposes. Notice of District's and County's intended action shall be published at least one week prior thereto in a newspaper of general circulation published in the County in accordance with California Government Code Section 6061.

Performance Measure: N/A

Fiscal and Facilities Impacts:

Fiscal Analysis: N/A

Narrative:

There are no costs associated with this action.

Special Instructions:

Clerk of the Board, please distribute as follows:

- | | |
|---|-------------------------------------|
| 1. Original Resolution | General Services, Attn: Netza Ortiz |
| 2. Original <i>Copy</i> of Resolution | Clerk of the Board |
| 3. Original <i>fully executed</i> Grant Deed | General Services, Attn: Netza Ortiz |
| 4. Original <i>copy of fully executed</i> Grant Deed | Clerk of the Board |
| 5. Forward copy of the Minute Order to: | |
| a. Flood Control District office, Attn: Christina Lopez; and | |
| b. General Services/Real Property Division, Attn: Netza Ortiz | |

Attachments:

Attachment 1: Resolution

Attachment 2: Grant Deed

Attachment 3: Subdivision Map, Tract No. 12, 359

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Authored by:

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