



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/Public
Works/Flood Control
Department No.: 063/054
For Agenda Of: March 1, 2022
Placement: Administrative
Estimated Time: N/A
Continued Item:
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Santa Barbara County Flood Control and Water Conservation District
FROM: Department Directors Janette D. Pell, Director of General Services, (805) 560-1011
Scott D. McGolpin, Director of Public Works, (805) 568-3010

Contact Info: Skip Grey, Assistant Director, General Services, (805) 568-3083
Walter Rubalcava, Interim Deputy Public Works Director,
(805) 568-3436

SUBJECT: East West Channel Flood Control Resolution for an Order to Vacate, Third Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: No

Other Concurrence: Risk Management

Recommended Actions:

That the Board of Directors:

- a) Adopt the attached Resolution and Summary Order to Vacate (Attachment 1), which finds that the easement located on a portion of Assessor Parcel Numbers 089–310–032 through–040, in the City of Lompoc is no longer necessary to be retained for flood control uses and purposes and authorizes its vacation; and
- b) Determine that there is no possibility that the recommended actions may have a significant effect on the environment and are therefore exempt from further review under the California Environmental Quality Act (CEQA) guidelines, pursuant to Section

15061(b)(3) and approve and direct staff to file and post the attached Notice of Exemption (Attachment 2) on that basis.

Summary Text:

This item is on the agenda requiring the Board of Directors' approval and execution in order to vacate and relinquish a Flood Control Easement (Flood Easement) that the District no longer needs for flood control purposes. If executed and recorded, the Resolution and Summary Order to Vacate will release the District's interest in the Flood Easement located in the rear portions of Assessor Parcels Numbers 089-310-032 thru -040, within the boundary of the City of Lompoc.

Background

The original Flood Easement deed was granted by Ben and Sheila Frankel to the Santa Barbara County Flood Control and Water Conservation District for flood control and drainage purposes, including operating and maintaining flood control and drainage channels with fencing, landscaping, side drains, drainage inlets and other necessary structures. The deed to the District recorded in October 1981. In July 1985, the Flood Easement was identified in Subdivision LOM-355 Phase Three, being a subdivision of Parcel Map No. 64 and lying within the City of Lompoc.

The Flood Easement was intended to facilitate flood control activities in a channel immediately south of Assessor Parcels Numbers 089-310-032 thru -040. Also immediately to the south of these parcels is Assessor Parcel Number 089-470-002, which is owned by the City of Lompoc. In 1985, in connection with the construction of the subdivision, the City of Lompoc completed reconstruction improvements to the channel that included an access road parallel to and adjoining the 1981 Flood Easement.

Discussion:

After the City of Lompoc's above-described reconstruction improvements and subsequent maintenance of the channel, the County Flood Control District has not used the Flood Easement for at least thirty-six years. Over time the property owners have utilized and encroached upon the Flood Easement Area with improvements that include fencing. The District has determined that the Flood Easement is no longer necessary to be retained by the District for any purpose. The recordation of the resolution and summary order to vacate will release the District's interest in the Flood Easement.

California Government Code Section 65402 requires a determination as to the conformity of any property disposition with the applicable General Plan. Assessor Parcels Numbers 089-310-032 through-040, are located along Rock Rose Lane in the City of Lompoc. The proposed vacation is therefore within the jurisdiction of the City of Lompoc. The parcels are zoned Residential. In accordance with Government Code Section 65402(b), the request was sent to the City of Lompoc for the determination that the proposed disposal of the property is consistent with the City of Lompoc's General Plan.

Performance Measure:

N/A

Fiscal and Facilities Impacts:

There is no fiscal impact with respect to this relinquishment as there are no cost to the District. There will be no fiscal or facilities impacts.

Staffing Impacts:

None

Special Instructions:

After District action, please distribute as follows:

1. Return the original Resolution and Summary Order to Vacate to General Services, Attn: J. Lawrence, for recordation
2. Forward a copy of the Minute Order to the Flood Control District office: Attn: Christina Lopez and to General Services/Real Property Division, Attn: J. Lawrence

Attachments:

1. Resolution and Summary Order to Vacate
2. CEQA Notice of Exemption
3. Depiction of APNs 089-310-032 through -040 and APN 089-470-002

Authored by:

Julie Lawrence, General Services.

