



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:** PW/Flood Control  
**Department No.:** 054  
**For Agenda Of:** January 24, 2023  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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

**FROM:** Department Scott D. McGolpin, Public Works Director, (805) 568-3010  
Director(s)  
Contact Walter Rubalcava, Deputy Director - Water Resources, (805) 568-3436  
Info:

**SUBJECT:** Village Square Subdivision (TR 14,608), Fourth Supervisorial District

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence:** Risk Management

As to form: Yes

**Recommended Actions:**

That the Board of Directors:

- a) Approve and authorize the Chair to execute the Agreement for Construction and Dedication of Flood Control Improvements with Los Alamos 59, LP and MHP Builder Inc. associated with off-site storm drain improvements for Tract Map 14,608 in the Los Alamos Community; and
- b) Determine that pursuant to the California Environmental Quality Act Guidelines Section 15162, the recommended actions are within the scope of the environmental review documents for this project [Environmental Impact Report (05EIR-00000-00005) previously certified September 7, 2005].

**Summary Text:**

This item is on the agenda in order to obtain Board approval and authorization to execute the Agreement for Construction and Dedication of Flood Control Improvements in the Los Alamos Community with Los Alamos 59, LP (Developer) as part of Village Square Subdivision, TM 14,608, Fourth Supervisorial District.

As a Flood Control District condition of approval of the Village Square Subdivision, TM 14,608, the Developer is required to construct certain off-site storm drain improvements to adequately convey off-site drainage that has historically crossed the subdivision through and around the site to San Antonio Creek. The off-site storm drain improvements are of such a size and nature that the Flood Control

District is agreeable to accept ownership and future maintenance responsibilities of the facilities due to the regional flood control improvement to the area.

**Background:**

The Developer proposes to construct the Village Square Subdivision, also known as Tract Map 14,608 and formerly known as the Legacy Estates Subdivision in the Los Alamos community, which has a history of flooding. As a condition of approval, the Developer is required to construct certain on-site and off-site storm drain improvements. The Final Map for Tract No. 14,608 was approved by the Board on December 13, 2022. All on-site storm drain improvements constructed as part of the Subdivision will be owned and maintained by the Home Owners Association and detailed in the separate, recorded Subdivider’s Agreement to Construct and Maintain Private Drainage Improvement and Private Drainage & Maintenance Easements.

Off-site storm drain improvements plans were approved by the Flood Control District on December 4, 2015. Construction of the off-site system will be inspected and once completed with satisfactory approval, will be dedicated along with right-of-way and easements to the Flood Control District. All construction inspection and easement dedication costs will be funded by the Developer.

CEQA: In approving the Final Map of Tract No. 14,608 on December 13, 2022, the Board determined that the project approval was within the scope of the EIR prepared for the subdivision, which was previously certified on September 7, 2005 because there were no substantial changes in the proposed project or the circumstances under which the project would be undertaken, and no new information of substantial importance requiring additional environmental review under State CEQA Guidelines Section 15162. The recommend action to approve the Agreement for Construction and Dedication of Flood Control Improvements was contemplated by that project approval, and also within the scope of the previously-certified EIR.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

Narrative:

Development review for private development is an ongoing program in the Flood Control District. Costs for review and plan check deposits are charged to the Developer to recoup staff time. In addition, construction management and inspection costs for these facilities will be paid by Developer through an initial deposit. Once the facilities are built and accepted by the Flood Control District, the ongoing maintenance costs will be included in our maintenance program in the Los Alamos Flood Zone.

No General Fund monies will be utilized with this project.

**Special Instructions:**

Direct the Clerk of the Board to send a copy of the Agreement for Construction and Dedication of Flood Control Improvements in the Los Alamos Community and the minute order of these actions to the Flood Control District office, Attn: Christina Lopez.

**Attachments:**

Attachment A - Agreement for Construction and Dedication of Flood Control Improvements in the Los Alamos Community (an original agreement and an additional signature page)

**Authored by:**

Hansel Corsa, Civil Engineer, (805) 803-8784

**Figure 1: Off-site storm drain improvements for Tract Map 14,608**

