



## Legislation Details (With Text)

**File #:** 20-00240      **Version:** 1

**Type:** Administrative Item      **Status:** Agenda Ready

**File created:** 3/25/2020      **In control:** BOARD OF SUPERVISORS

**On agenda:** 4/7/2020      **Final action:** 4/7/2020

**Title:** Consider recommendations regarding Lower Mission Creek Improvement and Restoration Project, Reach 2B Phase II Acquisition, District Project No. SC8042, First District, as follows:

Acting as the Board of Directors, Flood Control and Water Conservation District:

a) Approve and authorize the Chair to execute an Easement Purchase Agreement between the Santa Barbara County Flood Control and Water Conservation District (District) and 317 Chapala Street, LLC., (Owner) for the purchase, for a total cost not to exceed \$364,000.00 inclusive of relocation costs, of a permanent easement, permanent non-exclusive access and staging easement and temporary construction easement and agreement on a portion of real property located at 317 Chapala Street (County Assessor Parcel Number: 037-245-012) in connection with the Lower Mission Creek Improvement and Restoration Project, Reach 2B Phase II District Project No. SC8042;

b) Accept the Permanent Easement Deed, and Permanent Non-Exclusive Access and Staging Easement Deed conveying easement interests in the real property located at 317 Chapala Street (County Assessor Parcel Number 037-245-012) to the District and authorize the Clerk of the Board to sign the Certificates of Acceptance;

c) Approve and authorize the Chair to execute a Temporary Construction Easement and Agreement between the District and Owner for the temporary use on a portion of the property located at 317 Chapala Street (County Assessor Parcel Number 037-245-012) and authorize the Clerk of the Board to execute the Certificate of Acceptance; and

d) After considering the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Lower Mission Creek Flood Control Project, the Findings and Statement of Overriding Considerations accepted by the Board of Directors as a Responsible Agency on May 10, 2011, and the discussion included herein, find that pursuant to California Environmental Quality Act (CEQA) 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 the recommended actions are within the scope of the project covered by the aforementioned environmental documents and no new environmental document is required; and approve and direct staff to file the Notice of Determination on these bases.

**Sponsors:** PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSER, GENERAL SERVICES DEPARTMENT

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Letter, 2. Attachment A - Easement Purchase Agreement, 3. Attachment B - Permanent Easement Deed and Certificate of Acceptance, 4. Attachment C - Permanent Non-Exclusive Access & Staging Easement Deed and Certificate of Acceptance, 5. Attachment D - Temporary Construction Easement & Agreement and Certificate of Acceptance, 6. Attachment E - Permanent and Temporary Construction Easements, 7. Attachment F - Notice of Determination, 8. Executed Agreement Attach. A, 9. Signed Certificate of Acceptance Attach. B, 10. Signed Certificate of Acceptance Attach. C, 11. Executed Agreement Attach. D, 12. Minute Order

Date	Ver.	Action By	Action	Result
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4/7/2020

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BOARD OF SUPERVISORS

Acted on as follows:

Pass

Consider recommendations regarding Lower Mission Creek Improvement and Restoration Project, Reach 2B Phase II Acquisition, District Project No. SC8042, First District, as follows:

Acting as the Board of Directors, Flood Control and Water Conservation District:

- a) Approve and authorize the Chair to execute an Easement Purchase Agreement between the Santa Barbara County Flood Control and Water Conservation District (District) and 317 Chapala Street, LLC., (Owner) for the purchase, for a total cost not to exceed \$364,000.00 inclusive of relocation costs, of a permanent easement, permanent non-exclusive access and staging easement and temporary construction easement and agreement on a portion of real property located at 317 Chapala Street (County Assessor Parcel Number: 037-245-012) in connection with the Lower Mission Creek Improvement and Restoration Project, Reach 2B Phase II District Project No. SC8042;
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- c) Approve and authorize the Chair to execute a Temporary Construction Easement and Agreement between the District and Owner for the temporary use on a portion of the property located at 317 Chapala Street (County Assessor Parcel Number 037-245-012) and authorize the Clerk of the Board to execute the Certificate of Acceptance; and
- d) After considering the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Lower Mission Creek Flood Control Project, the Findings and Statement of Overriding Considerations accepted by the Board of Directors as a Responsible Agency on May 10, 2011, and the discussion included herein, find that pursuant to California Environmental Quality Act (CEQA) 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 the recommended actions are within the scope of the project covered by the aforementioned environmental documents and no new environmental document is required; and approve and direct staff to file the Notice of Determination on these bases.