



## Legislation Details (With Text)

**File #:** 18-00575      **Version:** 2

**Type:** Agenda Item      **Status:** Passed

**File created:**      **In control:** BOARD OF SUPERVISORS

**On agenda:** 8/14/2018      **Final action:** 8/14/2018

**Title:** HEARING - Consider recommendations regarding Lower Mission Creek - Reaches 2B-Phase II and 3 (De La Vina Holdings, LLC) Fee Acquisitions (APN: 037-245-018), First District, as follows: (4/5 Vote required) (EST. TIME: 30 MIN.)

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

a) Approve, adopt and authorize the Chair to execute the Resolution of Necessity for the acquisition of the fee interest in the real property for Reach 2B-Phase II and Reach 3 - the Lower Mission Creek Project located at 324 De La Vina Street, Santa Barbara, ("Property"), which is owned by De La Vina Holdings, LLC;

b) Authorize the Director of Public Works, or designee, to deposit with the Santa Barbara Superior Court a sum equal to the Parcel's appraised fair market value, estimated at \$1,700,000.00, plus related costs and fees, in order to acquire the Property; and

c) After considering the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Lower Mission Creek Flood Control Project and the discussion included herein, find that pursuant to the 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, pursuant to CEQA Section 15162, the recommended actions are within the scope of the project covered by the EIS/EIR for the Lower Mission Creek Flood Control Project as well as the Findings and Statement of Overriding Considerations accepted by the Board of Directors as a Responsible Agency on May 10, 2011, and no new environmental document is required; and approve and direct staff to file the Notice of Determination on these bases.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY

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

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1, 2. Attachment 2, 3. Board Letter, 4. Attachment 3, 5. Attachment 4, 6. Attachment 5, 7. Public Comment - Silverstein, 8. Presentation, 9. Continuance Memorandum dated 7-17-2018, 10. Memorandum dated August 6 2018 regarding Proposed Resolution of Necessity, 11. Memorandum dated August 6, 2018 regarding Amendment to the Resolution, 12. Public Comment - The Silverstein Law Firm

Date	Ver.	Action By	Action	Result
8/14/2018	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
8/14/2018	2	BOARD OF SUPERVISORS	Acted on as follows:	Pass
7/17/2018	1	BOARD OF SUPERVISORS	Continued, as follows:	Pass

HEARING - Consider recommendations regarding Lower Mission Creek - Reaches 2B-Phase II and 3 (De La

Vina Holdings, LLC) Fee Acquisitions (APN: 037-245-018), First District, as follows: (4/5 Vote required) (EST. TIME: 30 MIN.)

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

- a) Approve, adopt and authorize the Chair to execute the Resolution of Necessity for the acquisition of the fee interest in the real property for Reach 2B-Phase II and Reach 3 - the Lower Mission Creek Project located at 324 De La Vina Street, Santa Barbara, ("Property"), which is owned by De La Vina Holdings, LLC;
- b) Authorize the Director of Public Works, or designee, to deposit with the Santa Barbara Superior Court a sum equal to the Parcel's appraised fair market value, estimated at \$1,700,000.00, plus related costs and fees, in order to acquire the Property; and
- c) After considering the Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Lower Mission Creek Flood Control Project and the discussion included herein, find that pursuant to the 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, pursuant to CEQA Section 15162, the recommended actions are within the scope of the project covered by the EIS/EIR for the Lower Mission Creek Flood Control Project as well as the Findings and Statement of Overriding Considerations accepted by the Board of Directors as a Responsible Agency on May 10, 2011, and no new environmental document is required; and approve and direct staff to file the Notice of Determination on these bases.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION: POLICY