

Memorandum

DATE: March 20, 2009

TO: Honorable Board of Supervisors
Board of Directors, Water Agency

FROM: Daniel C. Hernandez, Director of Parks

RE: Additional Recommended Actions Regarding Parks Department
Quagga Mussel Agenda Item D-3 at Cachuma Lake

Since changes to the quagga mussel program protocols at Cachuma Lake were last scheduled for the Board's consideration (February 24, 2009), County staff has continued its discussions with Cachuma Operations and Maintenance Board (COMB) staff on COMB's participation in funding the quagga mussel prevention program. The result of these discussions is an agreement with COMB to provide an initial one-time payment of \$60,000, which would fund the boat washing component of the protocols for at least one more year.

Therefore, it is recommended that the Board approve an additional action item (d), in addition to the three recommended actions listed on the Board letter for Public Hearing Agenda Item D-3 on the March 24, 2009 Board agenda. This additional action item reads as follows:

“(d) COMB's offer of a one-time contribution, in the amount of \$60,000, for the continuation of the County's boat washing program at Cachuma Lake for one year shall be accepted on condition that neither the County, its agencies and departments, nor COMB nor any of its Member Units, are waiving any rights whatsoever, including but not limited to any causes of action, immunities or defenses, by the offer and acceptance of this contribution.

The Parks Department is directed to:

1. collect the contribution,
2. continue the boat washing program for the remainder of FY 2008-09 and for the first nine months of FY 2009-10 and pursue a partnership with COMB for future funding of the program,

3. return to the Board in compliance with the County's adopted policy of "Acceptance of Gifts by County," with a recommendation for formal acceptance and a corresponding budget revision."

It is understood by the County that COMB cannot commit to continuing this funding beyond the first year, since it is unable to commit future COMB Board's to this decision. However, staff will continue discussions with COMB for future funding of the quagga mussel program.