



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: Flood Control
Department No.: 054
For Agenda Of: 9/09/14
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Flood Control and Water Conservation District
FROM: Department Scott D. McGolpin, Public Works Director, 568-3010
Director(s)
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436
SUBJECT: Secondary Use Agreement along Franklin Channel with the City of Carpinteria;
First Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

- A. Approve and authorize the Chair to execute the "Real Property Agreement; Secondary Use of Flood Control Owned Land" with the City of Carpinteria, regarding a portion of Franklin Channel located on APN 003-243-032 and APN 003-242-036; and
- B. Find that the proposed action is an administrative activity of the County, which will not result in direct or indirect physical changes in the environment and is therefore not a "project" as defined for purposes of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15378(b)(5).

Summary Text:

The City of Carpinteria is in a process of replacing a pedestrian bridge, a portion of which is located on two parcels of land situated along Franklin Channel (herein the "Channel") which are owned in fee by the Santa Barbara County Flood Control and Water Conservation District (herein the "District"). If approved, the Real Property Agreement; Secondary Use of Flood Control Owned Land (herein the "Agreement") will allow the installation of the bridge, indemnifies the District for use of the bridge, and acknowledges that the City of Carpinteria will be responsible for inspection and maintenance of the bridge. The location of the Channel and the pedestrian bridge are shown on Exhibit "A" attached to the Agreement.

The District has reviewed the City's plans developed by Wallace Group (dated July 15, 2014), and the District has determined that replacement of the pedestrian bridge will not impact District operations in

or around the Channel. The Natural Resource Conservation Service will review and approve the bridge plans prior to commencement of construction.

Approval of the Agreement by the City of Carpinteria and your Board is necessary to comply with the District's "A Policy for Secondary Uses of Flood Control and Water Conservation Facilities for Bikeway and Recreational Purposes" which is attached to the Agreement as Exhibit "B".

Background:

Franklin Channel was constructed in the 1970s after the Romero Fire by the United States Department of Agriculture, Natural Resource Conservation Service (NRCS) as part of the Carpinteria Valley Watershed Protection Plan. Franklin Channel is one of several flood control projects built by the NRCS which are now owned and operated by the Flood Control District.

On July 7, 1998, the Board of Directors of the Flood Control District adopted Resolution No. 98-266 that established a policy entitled, "A Policy for Secondary Uses of Flood Control and Water Conservation Facilities for Bikeway and Recreational Purposes." That policy allows for the secondary use of flood control facilities. Execution of the Agreement indemnifies the District from any and all liability associated with secondary uses of the flood control facilities.

By letter dated October 9, 2013 the City of Carpinteria Director of Community Development stated that execution of the Secondary Use Agreement by the City and the District is in compliance with the City's adopted General Plan (65402 determination).

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis:

Narrative: There are no fiscal impacts associated with this action. The Agreement indemnifies the Flood Control District from any and all liability associated with the proposed secondary use of this facility.

Special Instructions: After Board action, distribute as follows:

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| 1. | Original Document | Clerk of the Board Files |
| 2. | Duplicate Original | Flood Control District, Attn: Christina Lopez |
| 3. | Minute Order | Flood Control District, Attn: Christina Lopez |

NOTE: The District will mail the duplicate original to the City of Carpinteria.

Attachments:

Real Property Agreement; Secondary Use of Flood Control Owned Land with exhibits.

Authored by:

Karen Sullivan, Civil Engineer, 568-3458

