



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/Public Works  
Department No.: 054  
For Agenda Of: 05/27/08  
Placement: Administrative  
Estimated Tme: 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  
Board of Supervisors, County of Santa Barbara

**FROM:** Department Scott McGolpin, Public Works Director, 568-3010  
Director(s)  
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

**SUBJECT:** **Reimbursement Agreement for Regional Retention Basin B, 4<sup>th</sup> Supervisorial District**

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

As to form: No

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

Approve and authorize the Chair to execute the Reimbursement Agreement for Regional Retention Basin B with Di-Mac Development Company Inc., a California Corporation [Attachment A].

**Summary Text:**

Basin B is a regional retention basin as a part of the Orcutt Community Plan (OCP). Pursuant to conditions of approval for the Jensen's Crossing subdivision, the basin was constructed by Di-Mac to serve the following projects; Jensen's Crossing, Harps Springs, Vintage Ranch, Mesa Verde, portions of Rice Ranch, and a few other smaller projects.

Di-Mac executed a cooperative agreement to construct Basin B, the Board approved the Cooperative Agreement on December 2, 2003. Subsequently, the right-of-way was acquired for the Basin, and the project was completed by Di-Mac. The Cooperative Agreement provided for subsequent reimbursement of costs to Di-Mac to the extent the County collected fees from other projects using Basin B.

The attached Reimbursement Agreement provides for the release to Di-Mac Development Co of fees for Basin B that are currently held in a trust by the County, and for payment of subsequent fees not yet collected from projects that have not yet been recorded.

**Background:**

As a part of the OCP, provisions were made to require development projects to provide retardation basin either on each individual site, or by combining multiple projects retardation requirements into one regional basin. Basin B was developed to serve multiple project and was feasible to develop as such.

**Fiscal and Facilities Impacts:**

Budgeted: yes

**Fiscal Analysis:**

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Orcutt FZ		\$ 5,000.00	
Total	\$ -	\$ 5,000.00	\$ -

**Narrative:**

As this facility serves new development only, all costs associated with the construction of the basin are the responsibility of private developers. The OCP and the Cooperative Agreement provided for the County to reimburse costs only to the extent that fees were collected for the work. Any shortages are the responsibility of the private development.

Basin B is maintained by the Flood Control District and costs for maintenance of this facility are transferred in through revenue generated by the Orcutt CFD. The costs for maintenance are included annually in the Maintenance Cost Center of the Water Resources Division of the Public Works Department. Annual maintenance costs for the basin are estimated at approximately \$5,000.

**Staffing Impacts:**

**Legal Positions:**

**FTEs:**

**Special Instructions:**

Direct the Clerk of the Board to send two original executed agreements and a certified copy of the minute order to the Flood Control District office, Attn: Christina Lopez.

**Attachments:**

Reimbursement Agreement for Regional Retention Basin “B” (3 originals)

**Authored by:** Thomas Fayram, Deputy Public Works Director, 568-3436

**cc:** Mary McMaster, County Counsel