



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: June 5, 2018  
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

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

**SUBJECT: Easement Maintenance/Repairs and Indemnification Agreement, Fifth  
Supervisorial District**

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**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 an Easement Maintenance/Repairs and Indemnification Agreement with Craig F. Stephens; and
- b) Determine that the agreement does not constitute a "Project" within the meaning of the California Environmental Quality Act, as set forth in 14 CCR 15378(b)(5), organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment.

**Summary Text:**

This item is on the agenda in order to execute an agreement regarding the maintenance and repairs of an existing Flood Control access easement across private property. The agreement will require the property owner to pay for necessary maintenance and repairs of new improvements to maintain an existing access easement in good condition and repair. The agreement also requires the property owner to hold harmless, indemnify and defend Flood Control, its officers, officials, employees, agents and volunteers from and against all liabilities.

**Background:**

A developer in Santa Maria wishes to build a commercial building on a parcel which has a Flood Control access easement along the northerly portion. This easement allows access to County Flood Control owned Bradley Channel for maintenance and repair.

**Fiscal and Facilities Impacts:**

Budgeted: No

**Fiscal Analysis:**

Narrative:

There are no costs associated with this agreement.

**Special Instructions:**

Direct the Clerk of the Board to send an original of the agreement with a copy of the minute order to the Flood Control District office, Attn: Christina Lopez.

**Attachments:**

Attachment A – Easement Maintenance/Repair and Indemnification Agreement with Craig F. Stephens (2 originals)

**Authored by:**

Jonathan Frye, Engineering Manager, 568-3444