



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: 07/17/07
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 McGolpin, Interim Public Works Director, 568-3010
Director(s)
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

SUBJECT: Real Property Agreement for Secondary Use of Flood Control Easement for A Street Basin, Fifth Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: No

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

Approve and authorize the Chair to execute the “Real Property Agreement for Secondary Use of Flood Control Easement” along “A” Street Basin in the City of Santa Maria with RVP Investments, owners of APN 111-050-016.

Summary Text:

RVP Investments, owners of APN: 111-050-016 as part of their development project has requested to construct surface improves (a driveway) adjacent to the “A” Street Basin to provide vehicle access around the proposed building. The Flood Control District has a perpetual easement over part of this property for operations and maintenance of “A” Street Basin. The District has reviewed the plans and has determined that installation of the driveway will not impact the operations of the basin. The owner will be responsible for the maintenance of the improvements and will also indemnify and hold harmless the Flood Control District from their use of the flood control easement.

Approval of this agreement is necessary to comply with the Flood Control District’s Secondary Use Policy.

Background:

On July 7, 1998, the Board of Directors 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 and

indemnifies the District from any and all liability associated with secondary uses of the flood control facilities.

Fiscal and Facilities Impacts:

Budgeted: No

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			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative:

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

Staffing Impacts:

Legal Positions:

FTEs:

Special Instructions:

Direct the Clerk of the Board to send two certified copies of the Real Property Agreement along with a copy of the minute order of this action to the Flood Control District office, Attn: Christina Lopez.

Attachments:

Real Property Agreement – Secondary Use of Flood Control Easement w/ RVP Investments

Authored by: Dale Weber, Development Engineer, 568-3446

cc: