

AMENDMENT NO. 2
LICENSE AGREEMENT - SANTA MARIA RIVER LEVEE BIKEWAY

WHEREAS, on April 18, 2000, the City of Santa Maria and on May 3, 2000, the Santa Barbara County Flood Control and Water Conservation District approved a License Agreement (Agreement) entitled, "License Agreement - Santa Maria Levee Bikeway" for the establishment of a multi-purpose trail (Bikeway) on the Santa Maria River Levee; and

WHEREAS, the Santa Barbara County Flood Control and Water Conservation District adopted a policy on July 7, 1998, entitled "A Policy for Secondary Uses of Flood Control District Facilities for Bikeway and Recreational Purposes," which allows for uses such as the multi- purpose trail; and

WHEREAS, the City of Santa Maria and the Santa Barbara County Flood Control and Water Conservation District agree that amendments to allow for extensions of the Bikeway were anticipated in paragraph 24 "Modification" of the Santa Maria River Levee Bikeway License Agreement, provided the added areas conform to the terms of the original Agreement and the Secondary Use Policy; and

WHEREAS, the City of Santa Maria has completed construction of Phase I of the City's portion of the Bikeway, and the City of Santa Maria has completed Phase II of the City's portion of the Bikeway as part of Amendment No. 1 to the Agreement; and

WHEREAS, Caltrans constructed a paved bike path as part of the US 101/Santa Maria River Bridge Widening Project, and the terminus of this bike path leaves an unpaved gap of about 375 feet between the Caltrans bike path and the existing paved City of Santa Maria bike path, and both Caltrans and the City of Santa Maria wish to pave this gap with the City of Santa Maria agreeing to incorporate this new work into their Bikeway system; and

WHEREAS, on March 7, 2012 the U.S. Army Corps of Engineers issued a 33 U.S.C. Section 408 permit to the Santa Barbara County Flood Control and Water Conservation District for construction of this bike path and Addendum #1 to said Section 408 permit was issued on November 20, 2013 to cover the additional "gap" paving; and,

NOW, THEREFORE, IT IS HEREBY AGREED by and between the Board of Directors of the Santa Barbara County Flood Control & Water Conservation District and the City of Santa Maria as follows:

The aforementioned License Agreement between the Santa Barbara County Flood Control and Water Conservation District and the City of Santa Maria is amended by the addition of Exhibit D, hereto, incorporated herein by this reference, and the addition of the pavement, provided at Caltrans' expense, between the Caltrans bike path and the existing paved Santa Maria City's bike path as noted in Exhibit D.

All other provisions of the original Agreement and Amendment No. 1 to the Agreement shall remain in full force and effect. The amendments contained herein shall be effective on the date both the Santa Barbara County Flood Control and Water Conservation District and City of Santa Maria approve this amendment.

SANTA BARBARA COUNTY
FLOOD CONTROL AND WATER
CONSERVATION DISTRICT

ATTEST:

MONA MIYASATO

Ex-Officio Clerk of the Board of Directors of
The Santa Barbara County Flood Control and
Water Conservation District

BY: _____

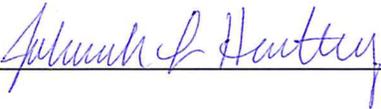
STEVE LAVAGNINO
CHAIR, BOARD OF DIRECTORS

Date: _____

By: _____

Deputy

APPROVED AS TO FORM
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: 

APPROVED:

By: 

Ray Aromatorio, ARM, AIC
Risk Program Manager

APPROVED:

By: 

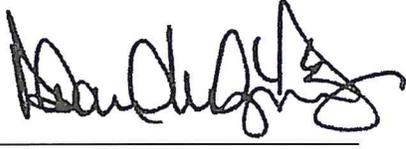
for Scott McGolpin
Public Works Director

CITY OF SANTA MARIA

By: 

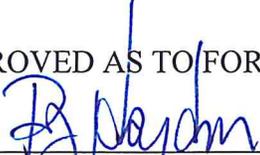
Alice Patino
Mayor

ATTEST:

By: 

Rhonda Garietz
Chief Deputy City Clerk

APPROVED AS TO FORM:

By: 

Richard J. Haydon
City Manager

CONTENTS:

By: 

Shad S. Springer, P.E., MPA, CFM
Acting Director of Public Works/
City Engineer

CONTENTS:

By: 

Gilbert A. Trujillo
City Attorney

