

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on:
Department Name: Flood Control/Public Works
Department No.: 054-04-04
Agenda Date: 04/11/06
Placement: Administrative
Estimate Time: N/A
Continued Item: NO
If Yes, date from:
Document File Name: Brdapr11.bradley agreement

TO: Board of Directors
Santa Barbara County Flood Control & Water Conservation District

FROM: Phillip M. Demery, Director, Ext. 3010
Public Works Department

STAFF CONTACT: Thomas Fayram, Deputy Public Works Director, Ext. 3435
Water Resources Division

SUBJECT: **Real Property Agreement for Secondary Use of Flood Control Property (Bradley Channel), Fifth Supervisorial District**

Recommendation(s):

That the Board of Directors:

Authorize the Chair to execute with the City of Santa Maria the attached Real Property Agreement for Secondary Use of Flood Control Property on a portion of APN: 117-030-070 across Bradley Channel in the City of Santa Maria.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

On July 7, 1998, the Board 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". While this policy allows for recreational use of flood control facilities it also indemnifies the District from any and all liability associated from secondary use of the facility.

The City of Santa Maria (City) required as a condition of development of Tract 5764, to construct a bridge over Bradley Channel for pedestrian and bicycle purposes. The proposed bridge will cross Bradley Channel adjacent to Western Avenue in the City of Santa Maria.

The District has reviewed the proposed bridge plans and has determined the construction and future use of the bike/pedestrian bridge will not impact operation or maintenance activities of the channel. Execution of the agreement is necessary to comply with the District's Secondary Use Policy.

Mandates and Service Levels:

Action by the Board will not change programs or services levels.

Fiscal and Facilities Impacts:

The City ,as provided by the Secondary Use Policy, is responsible for all costs associated with the secondary use of the channel as well as responsible for repairing any damage caused to the channel by the secondary use. No increase in cost to maintain the channel is anticipated.

Special Instructions:

Direct the Clerk of the Board to return two original agreements with the minute order to the Flood Control District office, Attn: Christina Lopez.

Concurrence: County Counsel, Risk Management, Auditor-Controller

Board letter authored by: Jon Frye, Civil Engineer Manager, Ext. 3444