



BOARD OF SUPERVISORS    Agenda Number:  
AGENDA LETTER

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: 01/15/08  
Placement: Administrative  
Estimated Tme: N/A  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
Board of Directors, Flood Control and Water Conservation District

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

**SUBJECT:** Adopt a Resolution Entitled “Authorization to Execute Owner’s and Subdivider’s Agreements”, All Supervisorial Districts

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** Risk Management

As to form: Yes

**Recommended Actions:**

Adopt the attached resolution entitled “Authorization to Execute Owner’s and Subdivider’s Maintenance Agreements” authorizing the Public Works Director or his Designee to execute Owner and Subdivider Agreements relating to development projects.

**Summary Text:**

Entering into maintenance agreements is a standard condition of approval for development projects that are subject to construct drainage improvements and water quality treatment facilities to address the impacts of their project. These agreements require the present and future owners of the property to be responsible for the maintenance in perpetuity of the private drainage improvements and water quality facilities.

Approving this resolution will streamline the approval process by allowing the Public Works Director or his Designee to execute these standard agreements.

**Background:**

Subdivider and Owner Agreements addressing maintenance of private drainage facilities have been executed by the Flood Control District’s Board of Directors since the 1980s. The Board of Supervisors

has been executing similar agreements to address maintenance of water quality treatment facilities since 2007.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

| <b><u>Funding Sources</u></b> | <b><u>Current FY Cost:</u></b> | <b><u>Annualized<br/>On-going Cost:</u></b> | <b><u>Total One-Time<br/>Project Cost</u></b> |
|-------------------------------|--------------------------------|---|---|
| General Fund                  |                                |   |   |
| State                         |                                |   |   |
| Federal                       |                                |   |   |
| Fees                          |                                |   |   |
| Other:                        |                                |   |   |
| Total                         | \$ -                           | \$ -  | \$ -  |

Narrative:

While adopting this resolution does not have any fiscal impacts, staff time associated with reviewing and conditioning project plans are paid through development review fees and plan check fees collected for each project. These costs are included in the Adopted 2006-07 Budget under the Development and Water Agency Cost Centers in the Water Resource Division of the Public Works Department as shown on page D-318 in the budget book.

**Staffing Impacts:**

**Legal Positions:**

**FTEs:**

**Special Instructions:**

Direct the Clerk of the Board to send a copy of the resolution and minute order of this action to the Flood Control District office, Attn: Christina Lopez.

**Attachments:**

Resolution Entitled “Authorization to Execute Owner’s and Subdivider’s Agreements”

**Authored by:** Jon Frye, Civil Engineering Manager, 568-3444