

**SANTA BARBARA COUNTY
AGENDA BOARD LETTER**



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

Agenda Number:
Prepared on: October 23, 2002
Department: General Services
Department No.: 063
Agenda Date: November 12, 2002
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Ronald S. Cortez, Director
General Services Department

**STAFF
CONTACT:** Jeff Havlik, SR/WA
Real Property 568-3073

SUBJECT: License Agreement; Growing Solutions
Folio No. YI 3355
Second Supervisorial District

Recommendation(s):

That the Board of Supervisors execute the original and duplicate original License Agreement (hereinafter the "Agreement") between the County of Santa Barbara, as Licensor, and Growing Solutions, as Licensee. The Agreement allows Growing Solutions to construct and operate a facility for the propagation and storage of plants native to the Santa Barbara region. That facility will be located on approximately ½ acre of County owned property known as the Calle Real Campus. Growing Solutions will sell the native plants to the County at their cost, and in exchange Growing Solutions will not be required to pay rent. However, Growing Solutions will be required to reimburse the County for water. The term of the Agreement is one year, with automatic extensions up to a total of five years. The Agreement contains language allowing either party to terminate upon ninety (90) day notice.

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:

The Agreement will allow Growing Solutions ("Licensee") to construct and operate a plant growing and storage facility on a portion of the closed County landfill adjacent to the Solid Waste Transfer Station on the Calle Real Campus. The facility will be used for the propagation and storage of plants native to the Santa Barbara region and will consist of an above ground growing area, a watering system and shade structure. All plants propagated at the site will be sold to the County at Licensee's cost (labor, water and materials) and will be used by various County Departments. The Licensee agrees to reimburse the County for water used in

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Executive Summary and Discussion: (Cont)

the propagation and maintenance of the plants at the site. The initial term of the License is one year commencing upon execution by your Board. It may be extended on a year to year basis for up to a total of five years, but may be terminated without cause by either party upon ninety day written notice.

Growing Solutions is a local nonprofit organization specializing in the propagation of native plants and in teaching the techniques associated with propagation of native plants as well as ecological and habitat restoration.

Mandates and Service Levels:

No change in programs or service levels.

Fiscal and Facilities Impacts:

The site upon which the Growing Solutions facility will be located is not currently being used by the County. The proposed site and Growing Solutions use thereof conforms with the County's approved Facilities Policy Framework. Growing Solutions will reimburse the County for water they use at the propagation site. The cost of Real Property services associated with this project are not reimbursable and may impact the General Fund.

Special Instructions:

After Board action, distribute as follows:

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| 1. | Original Document | Clerk of the Board Files |
| 2. | Duplicate Original | Facilities Services, Attn: Jeff Havlik |
| 3. | Minute Order | Facilities Services, Attn: Jeff Havlik |

NOTE: Facilities Services will make copies of the Agreement and the Minute Order for Solid Waste and our files, and will deliver the duplicate original to Growing Solutions.

Concurrence:

Auditor-Controller
County Counsel
Risk Management