



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: 08/28/07
Placement: Administrative
Estimated Tme:
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
Director(s)
Contact Info: Thomas D. Fayram Deputy Public Works Director

SUBJECT: **Owner's Agreement to Construct and Maintain Private Drainage Improvements and Private Drainage & Maintenance Easements with the Music Academy of the West, First Supervisorial District**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

Approve and authorize the Chair to executed the Owner's Agreement to Construct and Maintain Private Drainage Improvements and Private Drainage & Maintenance Easements with the Music Academy of the West for Development Case No. 90-CP-111-RV01 (APNs: 009-282-29, and -30).

Summary Text:

The Owner's Agreement is a condition of approval for the Music Academy of the West Revised CUP, 90-CP-111 RV01 (also referred to as the MAW "Master Plan") located on Fairway Road in Montecito. The Plan consists of both a variety of physical and operational components. This agreement will require the present and future owners of the property to be responsible for the maintenance in perpetuity of the private drainage improvements required for the project.

Background:

This agreement is a condition of approval for this project and addresses the maintenance responsibilities of the private drainage facilities.

Fiscal and Facilities Impacts:

Budgeted: Yes

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:

Staff time associated with reviewing this project is paid through development review fees and plan check fees collected for this project. These costs are included in the Adopted 2007-08 Budget under the Development Cost Center of the Water Resources Division of the Public Works Department as show on page D-318 in the budget book.

Staffing Impacts:

Legal Positions:

FTEs:

Special Instructions:

Direct the Clerk of the Board to send the Owner’s Agreement to the Clerk Recorder’s office to be recorded. After the agreement has been recorded send a copy of the recorded agreement along with the minute order to the Flood Control District office, Attn: Christina Lopez.

Attachments:

Owner’s Agreement with the Music Academy of the West

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

cc: