



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: General Services
Department No.: 063
For Agenda Of: November 18, 2008
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Bob Nisbet, Director (560-1011)
Director(s) General Services Department
Contact Info: Paddy Langlands, (568-3096)
Assistant Director, Support Services Division
SUBJECT: Water Applications & Systems Corporation (WASCO) Second Addendum to
Access and Use Agreement; First Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions: That the Board of Supervisors:

Approve and execute, in duplicate, the Second Addendum to the "Access and Use Agreement." The original Access and Use Agreement is dated July 27, 2004 and is between the County of Santa Barbara and Water Applications & Systems Corporation (WASCO) for the purpose of allowing WASCO to install one additional ground water remediation well on the County's Santa Barbara Garden Street parking lot.

Summary Text: County Fire, which is overseeing WASCO's remediation of the former Culligan UST site, has requested that WASCO install four additional monitoring wells, one of which needs to be in the Santa Barbara Garden Street parking lot. The Second Addendum will provide WASCO permission to install that additional ground water remediation well in the County's Garden Street parking lot.

Background:

On July 27, 2004 your Board entered into an Access and Use Agreement with Culligan International Company for the purpose of conducting environmental remediation work to clean up a historical fuel release from the Culligan Soft Water facility formerly located at 1026 Santa Barbara Street, adjacent to County's Santa Barbara Garden Street employee parking lot. That Access and Use Agreement was amended on October 26, 2004 to allow the installation of one additional ground water remediation well on the County's property.

On February 15, 2005 your Board executed a Consent to Assignment transferring responsibility for the continuing cleanup operations from Culligan to WASCO. Since that time WASCO has continued the remediation of contamination beneath its property and the County owned property on Santa Barbara Street.

WASCO has obtained permits to install one more ground water remediation well on the County property, and has requested an amendment to the Agreement to allow the installation of that well.

Hydrocarbon pollutants were noted in the groundwater beneath the properties adjacent to the County's Santa Barbara Garden Street lot in the late 1990s. After testing it was determined that remediation was required. To accommodate the ground water clean up the County granted the owners of 1020 and 1026 Santa Barbara Street the right to enter the County owned property to drill and operate water extraction wells. Remediation operations have been ongoing since the first agreement was signed on March 20, 1998. The access agreement was amended on February 8, 2001, July 23, 2004, October 26, 2004, and most recently on February 15, 2005.

The Second Addendum includes the authorization of the General Service Department Director (or designee) to execute on behalf of the County, any extension or addendums associated with the Access and Use Agreement.

WASCO has discussed the need for this additional well with the Public Works Geologist, and the County's Geologist is supportive of this in response to County Fire's directive to WASCO.

Fiscal and Facilities Impacts:

No additional fiscal or facilities impact.

Special Instructions:

After Board action, please distribute as follows:

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| 1. Original Amendment | Board's Official File |
| 2. Dupl. orig. Amendment and Minute Order | GS/Real Estate Svcs, Attn: Jeff Havlik |

Attachments:

Second Amendment to "Access and Use Agreement."

Authored by:

Jeff Havlik, SR\WA
Office of Real Estate Services