



**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

Submitted on:
(COB Stamp)

Department Name: Flood Control
Department No.: 054-04-04
For Agenda Of: 10/10/06
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Flood Control and Water Conservation District
FROM: Department Director: Phillip M. Demery, Public Works Director, 568-3010
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436
SUBJECT: Owner's Agreement for Better Cooling II, 05DVP-00000-00007 (APN: 129-010-035)

County Counsel Concurrence:

As to form/legality: Yes No N/A

Auditor-Controller Concurrence:

As to form: Yes No N/A

Recommended Action(s):

Approve and authorize the Chair to execute the "Owner's Agreement to Construct and Maintain Private Drainage Improvements and Private Drainage & Maintenance Easements" with Better Cooling Inc., owners of Development Case No. 05DVP-00000-00007 (APN: 129-010-035). The Development Plan (05DVP-00000-00007) is to develop a 13,650sf expansion to an existing 13,650sf agricultural cooling facility, a 7,000sf shade canopy, and a 24,000sf storage building on the referenced parcel (APN: 129-010-035).

FIFTH SUPERVISORIAL DISTRICT

Summary:

The Owner's Agreement is a condition of approval for the Better Cooling II development, located on Telephone Road in the unincorporated area of Santa Maria. The Development Plan (05DVP-00000-00007) is to develop a 13,650sf expansion to an existing 13,650sf agricultural cooling facility, a 7000sf shade canopy, and a 24,000sf storage building on the referenced parcel (APN: 129-010-035).. 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 of Development Case No. 05DVP-00000-00007.

Background:

The private drainage improvements address the runoff associated with the project.

Fiscal and Facilities Impacts:

Staff time associated with reviewing this project are paid through development review fees and plan check fees collected for this project. Costs associated with development review are included in the Adopted 2006-07 Budget under the Development cost center in the Water Resource Division of the Public Works Departmental as shown on page D-322 in the budget book.

Budgeted: Yes No

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized Cost:</u>	<u>Total Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative:

Staffing Impact(s):

Legal Positions:

FTEs:

Special Instructions:

Direct the Clerk of the Board to record this agreement with the Clerk-Recorders office and send a copy of the recorded agreement along with the minute order to the Flood Control office, Attention: Christina Lopez.

Attachments: (list all)

“Owner’s Agreement to Construct and Maintain Private Drainage Improvements and Private Drainage & Maintenance Easements” with Better Cooling Inc.

Authored by:

Dale Weber, Development Engineer, 568-3446

cc: