

**SANTA BARBARA COUNTY  
BOARD AGENDA LETTER**



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

**Agenda Number:**  
**Prepared on:** January 27, 2003  
**Department:** Flood Control/Public Works  
**Budget Unit:** 054-04-01  
**Agenda Date:** 02/18/03  
**Placement:** Administrative  
**Estimate Time:**  
**Continued Item:** NO  
**If Yes, date from:**

---

**TO:** Board of Directors  
Santa Barbara County Flood Control & Water Conservation District

**FROM:** Phillip M. Demery, Director  
Public Works Department

**STAFF**

**CONTACT:** Thomas Fayram, Deputy Public Works Director, (568-3436)

**SUBJECT:** PACFRESH PRODUCE, INC. License Agreement  
Fourth Supervisorial District

---

**Recommendations:**

That the Board of Directors:

Approve and authorize the Chair to execute the attached License Agreement with PACFRESH PRODUCE, INC. to lease Assessor's Parcel Number 113-040-012 from the District for the amount of \$21,450 per year for five years.

**Alignment with Board Strategic Plan:**

*The recommendation is aligned with Goal No. 1. An Efficient Government Able to Respond Effectively to the Needs of the Community.*

**Executive Summary and Discussion:**

A few years ago, staff became aware that property owned by the Flood Control District (District) was being farmed without permission and without compensation. This parcel was acquired by the District as a result of property acquisition for the construction of the Santa Maria River Levee. The property was acquired on February 15, 1963.

In the future, the District may consider use of the property as a mitigation bank for maintenance activities associated with the Santa Maria River. Until such time that the property is needed, Mr. Richard Donati requested that he be allowed to use the property for farming. This License Agreement with Mr. Donati will allow farming of the parcel and compensation to the District. The term of this License is for five years. At that time, the desire to renew the License or use the property for mitigation purposes will be revisited. Should the License be renewed, the compensation terms will also be renegotiated.

Subject: Pacfresh Produce Inc. Lease Agreement  
Fourth Supervisorial District  
Agenda Date: February 18, 2003  
Page: 2 of 2

The Santa Maria River Levee is the most important flood control feature in the Santa Maria Valley. The Levee protects a significant portion of the Cities of Santa Maria and Guadalupe from the River as well as thousands of acres of prime farmland. The funding for maintenance of the Levee has long been inadequate. Approving the License Agreement will generate an additional \$21,450 a year of revenue in the Santa Maria River Levee Flood Zone.



**Mandates and Service Levels:**

The Santa Maria River Levee was constructed by the Corps of Engineers in the 1960s. As the local sponsor of the project, the District is responsible for the operations and maintenance of the Levee.

**Fiscal and Facilities Impacts:**

Through this License Agreement, the Santa Maria River Levee Flood Zone will receive \$21,450 each year for the next five years. The revenue generated for this fiscal year was unanticipated. The District will process a budget adjustment to accept the money into the Santa Maria River Levee Flood Zone.

**Special Instructions:** After Board action, distribute as follows:

1. 2<sup>nd</sup> Original and certified copy of Lease Agreement - Surveyors Office, Attn: Brett Maxfield
2. Original Lease Agreement Clerk of the Board Files
3. Minute Order Surveyors, Attn: Brett Maxfield

**Concurrence:**

County Counsel  
Auditor Controller  
Risk Manager