

AMENDMENT NO. 3
LICENSE AGREEMENT – SANTA MARIA LEVEE BIKEWAY

WHEREAS, on April 18, 2000, the City of Santa Maria and on May 3, 2000 the Santa Barbara County Flood Control and Water Conservations District approved a License Agreement (Agreement) entitled, “License Agreement – Santa Maria Levee Bikeway,” for the establishment of a multipurpose trail (Bikeway) on the Santa Maria River Levee; and

WHEREAS, the Santa Barbara County Flood Control and Water Conservation District adopted a policy on July 7, 1998, entitled, “A Policy for Secondary Uses of Flood Control District Facilities for Bikeway and Recreational Purposes,” which allows for uses such as the multipurpose trail; and

WHEREAS, the City of Santa Maria and the Santa Barbara County Flood Control and Water Conservation District agree that amendments to the Agreement are allowed in paragraph 24, “Modification” of the Agreement; and

WHEREAS, the City of Santa Maria has completed construction of Phase I of the Bikeway as part of the original Agreement, the City of Santa Maria has completed construction of Phase II of the Bikeway as part of Amendment No. 1 to the Agreement, and Caltrans has paved a gap between its bike path and the City of Santa Maria’s bike path, and the City of Santa Maria has incorporated this gap as part of their Bikeway system as part of Amendment No. 2 to the Agreement; and

WHEREAS, the City of Santa Maria has requested the Santa Maria Levee Bikeway be renamed in honor of former Santa Maria City Councilman and former Santa Barbara County Supervisor Tom Urbanske; and

WHEREAS, pursuant to California Streets and Highway Code section 890.4, a Bikeway is not a road and renaming the Bikeway complies with the Santa Barbara County Code; and

WHEREAS, the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District supports renaming the Bikeway in honor of former Supervisor Tom Urbanske.

NOW, THEREFORE, IT IS HEREBY AGREED by and between the Board of Directors of the Santa Barbara County Flood Control & Water Conservation District and the City of Santa Maria as follows:

The aforementioned License Agreement between the Santa Barbara County Flood Control and Water Conservation District and the City of Santa Maria is amended to allow the City of Santa Maria to name the Bikeway, by Resolution, in Honor of Tom Urbanske.

All other provisions of the original Agreement, Amendment No. 1 to the Agreement and Amendment No. 2 to the Agreement shall remain in full force and effect. The amendments contained herein shall be effective on the date fully executed by both the Santa Barbara County Flood Control and Water Conservation District and the City of Santa Maria.

DISTRICT:

ATTEST:
MONA MIYASATO
Ex-Officio Clerk of the Board of Directors
of the Santa Barbara County Flood Control
and Water Conservation District

By: _____
Deputy

APPROVED TO AS FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: _____
Deputy

APPROVED AS TO FORM:
Ray Aromatorio, ARM, AIC
Risk Manager

By: _____
Risk Program Manager

SANTA BARBARA COUNTY
FLOOD CONTROL AND WATER
CONSERVATION DISTRICT

By: _____
PETER ADAM
CHAIR, BOARD OF DIRECTORS
Date: _____

RECOMMENDED FOR APPROVED:

By: _____
Scott D. McGolpin
Public Works Director

CITY OF SANTA MARIA:

By: _____

Alice Patino

Mayor

Date: _____

ATTEST:

By: _____

Rhoda Garietz

Chief Deputy City Clerk

APPROVED AS TO FORM:

By: _____

Richard J. Haydon

City Manager

CONTENTS:

By: _____

Gilbert A. Trujillo

City Attorney

CONTENTS:

By: _____

Steven B. Kahn

Director of Public Works