



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: May 3, 2016
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Flood Control and Water Conservation District

FROM: Department Scott D. McGolpin, Public Works Director, 568-3010
Director(s)
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

SUBJECT: Amendment No. 3 to the License Agreement for the Santa Maria Levee Bikeway,
Fifth Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to Form: Yes

Recommended Actions:

- a) Approve and authorize the Chair to execute "Amendment No. 3, License Agreement - Santa Maria Levee Bikeway" with the City of Santa Maria; and
- b) Determine that the proposed action is not a project under the California Environmental Quality Act, pursuant to Guidelines Section 15378(b)(5), organizational or administrative activities that will not result in a direct or indirect physical change in the environment.

Summary Text:

On April 18, 2000, the Board executed a License Agreement (Agreement) with the City of Santa Maria (City) for operation of a bike path along the Santa Maria River Levee. At that time, the bike path was named the "Santa Maria Levee Bikeway." Since that time, the bikeway has been well used by the public.

The City of Santa Maria operates the bikeway and requested the bikeway be named in Tom Urbanske's honor. Mr. Urbanske was a City of Santa Maria Councilman from 1972 until 1995. Tom Urbanske was then elected as the Fifth District Supervisor, Supervisor Urbanske served for 8 years on the Board of Supervisors. Supervisor Urbanske has been an advocate for the bikeway on the Levee and other recreational projects.

Amendment No. 3 to the Agreement authorizes the City, by resolution, to rename the bikeway in honor of former Santa Barbara County Board of Supervisor Tom Urbanske.

Background:

On July 7, 1998, the Board of Directors adopted Resolution No. 98-266 that established a policy entitled “A Policy for Secondary Uses of Flood Control and Water Conservation Facilities for Bikeway and Recreational Purposes.” That policy allows for the secondary use of flood control facilities.

On April 18, 2000, your Board approved a license agreement entitled, "License Agreement - Santa Maria Levee Bikeway," for the establishment of a combination bicycle and pedestrian path (bike path) along the Santa Maria River Levee. Paragraph 24 of the Agreement provides for modifications and amendments, including expansion of the bike path. On November 2, 2002 the Board approved Amendment No 1 to the Agreement for construction of Phase II of the bike path. On October 7, 2014 the Board approved Amendment No. 2 to the Agreement which added a connecting segment of bike path between the Caltrans and City bike paths.

Any modification requires written mutual consent from both the District and the City. As this action is an amendment to the original Agreement, the terms and conditions of the Agreement are in full force and effect including indemnification to the Flood Control District resulting from use of the bike path.

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis:

Narrative:

There are no fiscal impacts associated with this action. The Agreement indemnifies the Flood Control District from any and all liability associated with the proposed secondary use of this facility.

Special Instructions:

Direct the Clerk of the Board to send two originals of Amendment No. 3 and a copy of the minute order of these actions to the Flood Control District, Attn: Christina Lopez

Note: The District will mail a duplicate original Amendment No. 3 to the City of Santa Maria.

Attachments:

- Attachment A - Amendment No. 3, License Agreement – Santa Maria Levee Bikeway (3 originals)
- Attachment B - License Agreement – Santa Maria Levee Bikeway (copy)
- Attachment C - A Resolution of the Board of Directors of the Santa Barbara County Flood Control & Water Conservation District in the Matter of Adopting the Policy

Entitled “A Policy for Secondary Uses of Flood Control & Water Conservation
Facilities for Bikeway and Recreational Purposes” (copy)

Authored by:

Jonathan S. Frye, Engineering Manager, 568-3444