



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: 10/07/14
Placement: Administrative
Estimated Tme: 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. 2 to the License Agreement for the Santa Maria Levee Bikeway,
Fifth Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

- A. Approve and authorize the Chair to execute the "Amendment No. 2 Santa Maria River Levee Bikeway Agreement" with the City of Santa Maria; and
- B. Find that the proposed Agreement is exempt from the California Environmental Quality Act (CEQA) pursuant to subdivision (c) of 14 CCR 15301; Existing Facilities, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing use, and direct the Clerk of the Board to file the attached CEQA Notice of Exemption for the proposed project.

Summary Text:

On April 18, 2000, your Board executed a Secondary Use Agreement with the City of Santa Maria (City) for operation of a Bikeway on the Santa Maria River Levee. Since that time, the Bikeway has been well used by the public.

As a part of the construction of the Santa Maria River Bridge by Caltrans, a Bike Lane was added to the Bridge which connects to the existing City Bikeway on the Levee. This Amendment will bring this new leg of the Bikeway in under the existing Secondary Use Agreement.

The Secondary Use Agreement, including this Amendment indemnifies the Flood Control District for use of the bike path and acknowledges that the City will be responsible for inspection and maintenance of that path. The location of added section of Bikeway is as shown on Exhibit "D" attached to the Amendment. This will allow bike access to the existing Bikeway from US 101.

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 multi-purpose trail (Bikeway) along the Santa Maria River Levee. Paragraph 24 of the License Agreement provides for modifications and amendments, including expansion of the trail. On November 2, 2002 your Board approved Amendment No 1 to the License Agreement for construction of Phase II of the bikeway.

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

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. Caltrans has funded the bike path construction costs.

Special Instructions:

Direct the Clerk of the Board to:

1. Post the attached NOE

Direct the Clerk of the Board to distribute as follows:

- | | |
|------------------------------------------|-----------------------------------------------|
| 1. Copy of the Stamped NOE | Flood Control District, Attn: Christina Lopez |
| 2. Original License Agreement | Clerk of the Board Files |
| 3. Duplicate Original License Agreements | Flood Control District, Attn: Christina Lopez |
| 4. Minute Order | Flood Control District, Attn: Christina Lopez |

NOTE: Flood Control will mail the duplicate original to the City of Santa Maria.

Attachments:

Amendment No. 2 to the License Agreement for the Santa Maria River Bikeway

Agenda Date: 10/7/14

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Amendment No. 2 - License Agreement - Santa Maria River Levee Bikeway (3 originals)

CEQA Notice of Exemption

License Agreement – Santa Maria Levee Bikeway (Copy)

Authored by:

Jon Frye, PE, CFM, Civil Engineer Manager, 568-3444

Santa Maria River Levee Amendment No. 2 Bikeway Location Map

