



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: Public Works
Department No.: 054
For Agenda Of: March 18, 2008
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Scott McGolpin, Director Public Works: 568-3010
Director(s)
Contact Info: Mark A. Schleich, Deputy Director x3600
Public Works Department
SUBJECT: License Agreement with Growing Solution for a portion of APN 059-140-023
Second Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors execute the original and duplicate original License Agreement (hereinafter the "Agreement") between the County of Santa Barbara, as Licensor, and Growing Solutions and BioDiesel Industries, as Licensees.

Summary Text:

Growing Solutions propagates and sells plants which are native to the Santa Barbara region to be used in County projects, and in private projects which have been approved and conditioned by the County. The Growing Solutions facility is located on the closed Foothill Landfill located off Dump Road and is approximately 1 acre in size (herein the "Facility"). The term of the Agreement is one year, with automatic extensions up to a total of five years. The Agreement may be terminated by either party upon ninety (90) day notice which notice may be given without cause. Growing Solutions pays \$1,000.00 per month for use of the Facility and performs needed clean up and restoration tasks on the closed landfill under the supervision of Resource Recovery as part of that rent. They are also required to reimburse the County for the cost of water used in their operations.

BioDiesel Industries installed and maintains a test plot of Jatropha Curcas on unused land near the Facility. Jatropha Curcas seeds can be harvested and processed to produce fuel oil. The purpose of the test plot is to determine if the climate and soil in the Goleta vicinity is suitable for the cultivation of Jatropha. BioDiesel Industries pays for water and compensates the County for use of the test plot by annually removing invasive weeds on the closed landfill.

Auditor-Controller Concurrence

As to form: Yes

Background:

Growing Solutions constructed and operates a nursery on the closed Foothill Landfill that has been supplying native plants to the County and to the public under authority of a License Agreement signed by the Board of Supervisors in 2002. BioDiesel installed their test plot under authority of an amendment to the above Agreement signed in June of 2006.

Performance Measure: None

Fiscal and Facilities Impacts: Budgeted: Yes

Fiscal Analysis:

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

Narrative: Rent will be deposited to Fund 1930, Department 054, and Account 3409.

Staffing Impacts:

Legal Positions:

FTEs:

Special Instructions:

After Board action, distribute as follows:

- | | |
|-----------------------|---------------------------------|
| 1. Original Document | Clerk of the Board Files |
| 2. Duplicate Original | Public Works, Attn: Jeff Havlik |
| 3. Minute Order | Public Works, Attn: Jeff Havlik |

NOTE: Real Property will make copies of the Agreement and the Minute Order for Resource Recovery and our files, and will deliver the duplicate original to Growing Solutions, with a copy to BioDiesel.

Attachments:

License Agreement and Exhibits

Authored by:

J. Jeffery Havlik
Public Works, Real Property

cc:

Mark Tautrim