



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: General Services/Public Works/Community Services
Department No.: 063/054/052
For Agenda Of: April 19, 2022
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Janette D. Pell, General Services Director (805) 560-1011
Director(s) Scott D. McGolpin, Public Works Director (805) 568-3010
George Chapjian, Community Services Director (805) 568-2485
Contact Info: Skip Grey, Assistant Director, General Services (805) 568-3083
Leslie Wells, Deputy Director, PW/RR&WM (805) 882-3611
Jeff Lindgren, Assistant Director, CSD/Parks (805) 568-2475
SUBJECT: First Amendment to the Revocable License Agreements for UNAVCO Inc. GPS Sites Located at the Tajiguas Landfill and Point Sal in the Third and Fourth Districts (R/P Files Nos.: 000141 and 000156)

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Risk Manager

As to form: Yes

Recommended Actions:

It is recommended that the Board of Supervisors:

- a) Approve and authorize the Chair to execute the First Amendment to the Revocable License Agreement with UNAVCO Inc. for a global positioning system (hereinafter "GPS Site") located in the unincorporated area of the County of Santa Barbara, State of California, described as Assessor's Parcel Numbers 081-150-019, 081-150-026 and 081-150-042, and commonly known as the Tajiguas Landfill;
- b) Approve and authorize the Chair to execute the First Amendment to the Revocable License Agreement with UNAVCO Inc. for a GPS Site located in the unincorporated area of the County of Santa Barbara, State of California, described as Assessor's Parcel Numbers 113-160-007 and 113-160-008, and commonly known as Point Sal; and

- c) Determine that the proposed action is exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301, Existing Facilities, and Section 15261, Ongoing Project; and approve and direct staff to file and post the attached Notice of Exemption on that basis.

Summary Text:

This item is on the agenda requiring the Board’s approval and execution of the First Amendments to the Revocable License Agreements to update to current county standards the indemnification and insurance language and the contact information in these agreements in response to a UNAVCO Inc. request to access the county properties to make repairs, or to replace, if necessary, their GPS equipment at the Tajiguas Landfill and Pt. Sal site locations.

Background:

In March of 2007, the Board of Supervisors approved and executed two Revocable Licenses for the GPS Sites at Point Sal and Tajiguas Landfill for UNAVCO, Inc. (as “LICENSEE”), granting its authorized agents, contractors, officers and employees the right to enter upon and move workers, equipment and materials over, within and upon county properties identified as the Tajiguas Landfill and Point Sal to install, operate, maintain and service two global positioning systems to measure and study geological ground shifting and slow fault slip from thirty (30) foot by thirty (30) foot sites. These Revocable Licenses had initial 5-year terms and included options to automatically renew annually, if they had not been terminated, or if LICENSEE was not in good standing. The consideration for the granting of these License Agreements by the County is the LICENSEE’S granting of access to data gathered by these and other GPS sites that are part of LICENSEE’S GPS network, and to products created by researchers affiliated with LICENSEE or LICENSEE’S GPS network.

Until now, there have been no issues with the LICENSEES’ GPS Site equipment, or the sites. However, the recent Alisal Fire on October 12, 2021, caused damage to the GPS equipment at the Tajiguas Landfill site and in August 2021, Real Estate Division staff received a call regarding the vandalism of the GPS equipment at the Pt. Sal site that would require them to access the site to do repairs, or replace them. Due to the age of these licenses, the only concerns were that the Indemnification and Insurance language in these licenses required revising to current County standards as stated by the County Risk Manager. Therefore, the LICENSEE agreed that the licenses be revised to accommodate the update of the Indemnification and Insurance language as well as the contact information.

The proposed actions do not involve any physical changes or expansion of use, and therefore, have no potential effect on the environment pursuant to CEQA Guideline Section 15301.

Performance Measure:

N/A

Fiscal Analysis:

There is no fiscal impact; the LICENSEE is doing the repairs, or replacement, at their sole cost and expense.

Staffing Impacts: None.

Fiscal and Facilities Impacts: None.

Special Instructions:

After Board action, please distribute as follows:

1. File the fully-executed, original First Amendment to Revocable License Agreement for UNAVCO Inc. at Tajiguas Landfill, and the fully-executed, original First Amendment to Revocable License Agreement for UNAVCO Inc. at Point Sal with the Clerk of the Board
2. Return the fully-executed, duplicate original First Amendment to Revocable License Agreement for UNAVCO at Tajiguas Landfill, and the fully-executed, duplicate original First Amendment to Revocable License Agreement for UNAVCO Inc. at Point Sal and Minute Order to: Real Estate Division, Attn: C. Smith for distribution to UNAVCO Inc., and copies to: Jeff Lindgren, CDS/Parks and Leslie Wells, PW/Resource Recovery & Waste Management.
3. Post the CEQA Notice of Exemption in the Clerk of the Board office.

Attachments

1. First Amendment to Revocable License Agreement for UNAVCO Inc. GPS Site at Tajiguas Landfill
2. First Amendment to Revocable License Agreement for UNAVCO Inc. GPS Site at Pt. Sal
3. CEQA –Notice of Exception

Authored by:

C. Smith, Real Property Agent, Real Estate Division