



Santa Barbara County Public Works Department
Flood Control ♪ Water Agency ♪ Project Clean Water

MEMORANDUM

Date: August 23, 2019

To: The Honorable Board of Directors, Flood Control & Water Conservation District

From: Scott D. McGolpin, Public Works Director, 805-568-3010

Re: **Financial Performance Security for the Partnership for Resilient Communities
Debris Nets Project, Item A-23 on the August 27, 2019 BOS Agenda**

Recommended change, for Recommended Action (c) to read:

- c) Delegate authority to the County CEO, as Ex-Officio Clerk of the District, upon advice and consent of County Counsel and the Auditor-Controller, to take all actions necessary to complete the creation of the restricted fund balance as described in the attached Resolution, and to distribute such funds, if required, upon the terms set forth therein; provided that, as a condition precedent to both the fund's creation and the County CEO's authority to report to California Department of Fish and Wildlife the creation and availability of this performance security, and without altering the private nature of the project, the Partnership shall, by written contract that the County CEO may sign for the County of Santa Barbara and the County of Santa Barbara Flood Control & Water Conservation District, guarantee that the County of Santa Barbara and the County of Santa Barbara Flood Control & Water Conservation District each is named as an Additional Insured under the Partnership's liability insurance, on terms and conditions approved by County Counsel and County Risk Management;

Through its letter of August 14, 2019, The Partnership for Resilient Communities offered to provide "Additional Insured" protection through The Partnership's liability coverage for the County and the Flood Control District. On August 22, 2019, the County and the Flood Control District received a Certificate of Liability Insurance that reflected that coverage. The change to Recommended Action (c): 1) makes clear that The Partnership maintaining this "Additional Insured" insurance coverage for the County and the Flood Control District would be a condition precedent to the creation and availability of this performance security; and 2) would provide further delegated authority to the County CEO to sign relevant documents. This change to Recommended Action (c) was coordinated between County Counsel and The Partnership's private attorney.

Naomi Schwartz Building

Scott D. McGolpin
Public Works Director

130 E. Victoria Street, Suite 200, Santa Barbara, California 93101
PH: 805 568-3440 FAX: 805 568-3434 <http://cosb.countyofsb.org/pwd/water/>

Thomas D. Fayram
Deputy Public Works Director