



## Legislation Text

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**File #:** 19-00752, **Version:** 1

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Consider recommendations regarding financial performance security for the Partnership for Resilient Communities Debris Nets Project, First District, as follows: (4/5 Vote Required)

Acting as the Board of Directors, Flood Control and Water Conservation District:

- a) Adopt a Resolution, including the finding of public purpose, establishing a separate and distinct fund to segregate and restrict \$1,042,700.00 in Fund 2400 for purposes of providing performance security to the California Department of Fish and Wildlife for the Partnership for Resilient Communities' (Partnership) Ring Net Project (Project);
- b) Approve Budget Revision Request No. 0006575 to transfer \$1,042,700.00 in Fund 2400 from Restricted Purpose of Fund Balance to increase Restricted PRC Performance Security Fund Balance;
- 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 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 and Water Conservation District, guarantee that the County of Santa Barbara and the County of Santa Barbara Flood Control and 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; and
- d) Find that the recommended actions to provide performance security for the Project are fiscal activities not constituting a "Project" within the meaning of the California Environmental Quality Act, as set forth in 14 CCR 15378(b)(4).