

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA BARBARA APPROVING AMENDMENT NO. 1 TO AGREEMENT NO. 24,316 BETWEEN THE CITY OF SANTA BARBARA AND THE ELINGS PARK FOUNDATION DATED JANUARY 10, 2013, FOR THE USE AND DELIVERY OF THE CITY'S RECYCLED WATER AND FOR THE CONSTRUCTION OF AN ON-SITE RECYCLED WATER BOOSTER PUMP STATION AT ELINGS PARK

WHEREAS, the potable water supply of the City of Santa Barbara (City) is limited, and therefore, water conservation is important to ensure adequate water supplies;

WHEREAS, the City operates a recycled water treatment plant which produces recycled water of satisfactory quality for safe use in irrigating landscape areas within the City;

WHEREAS, the Elings Park Foundation operates and maintains landscaped areas to be irrigated, using recycled water, at its leased site known as Elings Park, located at 1298 Las Positas Road, Santa Barbara, California;

WHEREAS, the Elings Park Foundation has agreed, as set forth in Agreement No. 24,316, dated January 10, 2013, as approved by Ordinance No. 5605, to accept recycled water for irrigation of its landscaped areas, and the City has agreed to deliver recycled water to Elings Park under the terms and conditions set forth in said Agreement No. 24,316; and

WHEREAS, the Elings Park Foundation has also agreed to permit the construction by the City of an onsite recycled water booster pump station at Elings Park to further improve the system to deliver recycled water to Elings Park, and to allow periodic access by City personnel, contractors, permittees, and franchisees necessary for the construction, operation and ongoing maintenance of certain related portions of such improvements.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. The Amendment No. 1 to Agreement No. 24,316 between the City and the Elings Park Foundation for the City to deliver recycled water to Elings Park, located at 1298 Las Positas Road, Santa Barbara, California, for their purchase and use of recycled water, and for the City to construct, operate and maintain an onsite recycled water booster station, is approved in accordance with the City Charter.

SECTION 2. The Public Works Director is authorized to execute said Amendment No. 1 to Agreement No. 24,316.

SECTION 3. Following the effective date of this Ordinance, the City Clerk is hereby authorized to cause the recordation of said Amendment No. 1 to Agreement No. 24,316 in the Official Records, in the Office of the County Recorder, County of Santa Barbara, California.