

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works – Development Services	(2) MEETING DATE June 13, 2006	(3) CONTACT/PHONE Will Clemens, Department Administrator (805) 781-5299	
(4) SUBJECT Request to approve and sign a budget adjustment (4/5 th 's vote required) in the amount of \$340,500 from unanticipated revenue for Fund Center 20103 Development Services.			
(5) SUMMARY OF REQUEST The Development Services division of Public Works Special Services has been engaged in obtaining an emergency access easement related to the development of Tract 2162 located on the north shore of Nacimiento Lake. Extensive litigation costs associated with this action were not anticipated in the preparation of the division's FY 2005-06 operating budget. Approximately \$340,500 has been spent to date, consuming 21% of the division's available budget. These costs are fully reimbursable by the tract's developer, so there is no additional Net County Cost. A budget adjustment for Development Services is necessary for the division to continue operations through the remainder of the fiscal year.			
(6) RECOMMENDED ACTION It is recommended that your Board approve and sign a budget adjustment (4/5 th 's vote required) in the amount \$340,500 from unanticipated revenue for Fund Center 20103 Development Services.			
(7) FUNDING SOURCE(S) Unanticipated revenues, Fund Center 20103.	(8) CURRENT YEAR COST \$340,500	(9) ANNUAL COST N/A	(10) BUDGETED? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> N/A
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): None.			
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____			
(13) SUPERVISOR DISTRICT(S) <input checked="" type="checkbox"/> 1st, <input type="checkbox"/> 2nd, <input type="checkbox"/> 3rd, <input type="checkbox"/> 4th, <input type="checkbox"/> 5th, <input type="checkbox"/> All	(14) LOCATION MAP <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A	(15) Maddy Act Appointments Signed-off by Clerk of the Board <input checked="" type="checkbox"/> N/A	
(16) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)	(17) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input checked="" type="checkbox"/> N/A		
(18) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A	(19) BUDGET ADJUSTMENT REQUIRED? <input type="checkbox"/> Submitted <input checked="" type="checkbox"/> 4/5th's Vote Required <input type="checkbox"/> N/A		
(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) _____	(21) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	(22) Agenda Item History <input checked="" type="checkbox"/> N/A Date _____	
(23) ADMINISTRATIVE OFFICE REVIEW <div style="text-align: right; font-family: cursive;"> OK Leslie Brown B-13-06 </div>			



SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

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TO: Board of Supervisors

FROM: Will Clemens, Department Administrator *WC*

VIA: Paavo Ogren, Deputy Director of Public Works *PAO*

DATE: June 13, 2006

SUBJECT: Request to approve and sign a budget adjustment (4/5ths vote required) in the amount of \$340,500 from unanticipated revenue for Fund Center 20103 Development Services

Recommendation

It is recommended that your Honorable Board approve the attached budget adjustment in the amount of \$340,500, from unanticipated revenue for Fund Center 20103 Development Services division.

Discussion

The Development Services division of Public Works Special Services has been engaged in obtaining an emergency access easement to/from Tract 2162, located adjacent to the existing Oak Shores community on the north shore of Nacimiento Lake. The emergency access easement will connect to Bee Rock Road (a County-maintained public road) via Nacimiento Shores Road (a road maintained by CSA 7-B). It is required for Tract 2162 to comply with Public Resources Code Section 4290, which establishes the maximum length of dead-end road systems for subdivisions. Pursuit of this easement was authorized by your Board upon conditional approval of the tentative Tract 2162 map in September 1996. Subsequently, because right of way negotiations with landowners proved unproductive, on May 18, 2004, your Board resolution #04-153 authorized use of eminent domain condemnation procedures to acquire the emergency access easement.

Extensive litigation costs associated with this action were not anticipated in the preparation of the division's FY 2005-06 operating budget. Approximately \$340,500 has been incurred this fiscal year on this project, consuming 21% of the division's budget. These costs are to be fully reimbursed by tract developer King Ventures, so there is no additional Net County Cost. A budget adjustment for Development Services is necessary for the division to continue operations through the remainder of the fiscal year. Staff anticipates the current legal proceedings for Tract 2162 will conclude by September 2006.

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Other Agency Involvement/Impact

There are no agencies or groups involved in this request.

Financial Considerations

This budget adjustment is necessary for Development Services to continue operations through the end of the fiscal year. This budget adjustment will not result in additional Net County Cost, as the expenditures related to the Tract 2162 project are to be fully reimbursed by tract developer King Ventures.

Results

Approval of this request will provide adequate FY 2005-06 funding for Development Services to provide engineering and surveying review of land development as mandated by State law and County ordinance and as required for the orderly implementation of land development within the county.

Attachments: Budget adjustment request

File: Development Services

Reference: 06JUN013-C-7

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