

**FIRST AMENDMENT
TO LEASE**

This First Amendment to Lease is entered into by and between the County of San Luis Obispo, a public entity in the State of California (hereinafter, "County"), and the San Luis Obispo Regional Transit Authority, a joint powers authority in the State of California, and South County Area Transit, a joint powers authority in the State of California, both authorities hereinafter collectively, "Lessee".

WHEREAS, on June 7, 2011, the County entered into a written lease ("Lease") to lease to Lessee a former County Public Works road yard approximately 3.25 acres in size located at 800 Rodeo Drive in the City of Arroyo Grande (a portion of APN 007-011-046), east of the South County Regional Center ("Premises"); and

WHEREAS, Paragraph 6.E. of the Lease prohibits Lessee from washing buses or vehicles at the Premises, which provision is consistent with the terms of Lessee's Conditional Use Permit issued by the City of Arroyo Grande; and

WHEREAS, on November 6, 2012, the City of Arroyo Grande Planning Commission approved Lessee's application to amend the Conditional Use Permit to allow one bus per day to be washed at the Premises ("Project"); and

WHEREAS, the City of Arroyo Grande Planning Commission has determined that the Project is categorically exempt pursuant to Section 15301 of CEQA guidelines; and

WHEREAS, the County of San Luis Obispo has prepared a Memorandum of Understanding ("MOU") that outlines a stormwater management plan for the Premises to address potential water quality impacts from the bus washing, and said MOU has been approved by the City of Arroyo Grande as a requirement of the amendment to the Conditional Use Permit;

NOW, THEREFORE, in consideration of the mutual promises, covenants, agreements, and conditions herein set forth, County and Lessee mutually covenant and agree as follows:

1. The last sentence of Paragraph 6.E. of the Lease, "Lessee agrees that it will not perform bus or vehicle washing at this facility," is hereby deleted and replaced with the following sentence:

"Lessee may wash buses on the Premises so long as this activity is performed in compliance with the terms of the Conditional Use Permit issued by the City of Arroyo Grande."

2. Lessee shall adhere to the requirements of the permit issued to the County of San Luis Obispo by the Regional Water Quality Control Board (RWQCB Permit) that governs stormwater and non-stormwater discharges. Activities performed on the Premises shall conform to the RWQCB Permit, and Lessee shall adhere to the MOU attached as Exhibit "C" and to future Best Management Practices and Addenda to the MOU as required by the RWQCB or County. Lessee shall allow County to inspect the Premises to verify compliance with the MOU and shall cooperate with County to fulfill the reporting requirements of the RWQCB.
3. All other provisions of said Lease shall continue in full force and effect.

////////////////////////////////////NOTHING FURTHER PAST THIS POINT////////////////////////////////////

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment.

COUNTY OF SAN LUIS OBISPO

By: _____
Chairperson of the Board of
Supervisors

Approved by the Board of Supervisors
this on _____, 2012

ATTEST:

Clerk of the Board of Supervisors

APPROVED AS TO FORM AND
LEGAL EFFECT:

RITA L. NEAL,
County Counsel

By: _____
Chief Deputy County Counsel

Date: 10/31/12

LESSEE:
SAN LUIS OBISPO REGIONAL
TRANSIT AUTHORITY

By: Geoff Straw

Name: Geoff Straw
Title: Executive Director RTA

Date: 11-7-2012

LESSEE:
SOUTH COUNTY AREA TRANSIT

By: Geoff Straw

Name: Geoff Straw
Title: Administrator SCAT

Date: 11-7-2012

APPROVED AS TO FORM AND
LEGAL EFFECT:

TIMOTHY MCNULTY,
SLORTA and SCAT Legal Counsel

By: _____

Date: 10.31.2012

EXHIBIT C



County of San Luis Obispo General Services Agency

GENERAL SERVICES

Janette D. Perez, Director

Katie Perez, Deputy Director

Memorandum

October 26, 2012

Stormwater Management Program (SWMP) – South County Regional Center Roadyard Lease Site Memorandum of Understanding (MOU)

To: Geoff Straw – Executive Director / San Luis Obispo Regional Transit Authority
Linda Van Fleet – Associate Real Property Agent / SLO County General Services Agency
Teresa McClish – Director of Community Development / City of Arroyo Grande
Tamera Presser – Water Resource Control Engineer / Central Coast Regional Water Quality Control Board

From: Steve Naser – Associate Capital Projects Coordinator / SLO County General Services Agency

Date: October 26, 2012

Purpose: To establish a Memorandum of Understanding between the County of San Luis Obispo and proposed Lease Agreement with the Lessee to implement BMP's and controls for stormwater pollution prevention at the County Facility at 800 Rodeo Drive, in Arroyo Grande, CA.

Current Project Recap

- The Roadyard at the South County Regional Center site in Arroyo Grande is operated by the SLO County General Services Agency, after having been vacated by SLO County Public Works Department. Real Property Services Division of the SLO County GSA currently leases use and operation of the facility to the SLO County Regional Transit Authority (SLORTA) and South County Area Transit (referred to as "Lessee"). The Lease Agreement between the County and Lessee was approved and enacted by the County Board of Supervisors on June 7, 2011.
- In January of 2009, SLO County GSA proposed to SLO County Public Works Department corrections to improve Stormwater Best Management Practices (BMP's) on the unoccupied site, including the following:
 - Minor site hand-grading, replacement of straw wattles and stakes, repair and/or extension of siltation fencing and staking, pvc pipe repair and extension, poly tarp and sandbags installation.
- The County of San Luis Obispo is charged with compliance in coordination with the City of Arroyo Grande Stormwater pollution prevention requirements, which are also based on the NPDES/County of SLO Stormwater Management Plan. SLO County GSA inspects the Roadyard site at least annually and includes Stormwater-related comments, issues and corrections on the annual Stormwater Report submitted to the Central Coast Regional Water Quality Control Board.

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- Any requirements addressed in this Memorandum of Understanding are based on an economical, maintainable and minimal initial treatment of Stormwater Best Management Practices (BMP's). The General Services Agency is not intending to immediately implement costly or design-corrective BMP's to the site, as that would not align with the intent or the budgetary realities of the County's Stormwater Management Program.
- Long term design-corrective actions and BMP's, such as adding biofiltration elements or other sedimentation control filters to the existing area drain interceptors might be considered pending further design, engineering, constructability, cost feasibility or municipal operations review.

Current Requirements of the MOU

SLO County Real Property Services Division manages the lease of the County facility at 800 Roden Drive to Lessee. Lessee will use the facility for their transit and bus operations and administrative services. General Services Agency stormwater personnel have inspected the existing facility, met and discussed with Lessee Staff. The following stormwater pollution prevention controls and BMP's were agreed to be most effective to facilitate the use and operations of the site for the intended use:

1. Cosmetic cleaning of the Lessee's vehicles and buses will be part of the operations program of the facility. SLO County GSA has agreed to low volume washing, up to a maximum of 50 gallons of wash water per day, during dry weather. No degreasing or engine cleaning would be undertaken in the designated vehicle wash pad area at the facility. If other vehicle maintenance is required per Lessee operations, including storage of recycled oil, liquids or batteries, those activities will be conducted inside the metal building vehicle bays and secured per County stormwater BMP's and requirements. These fleet and vehicle maintenance procedures can be referenced in the GSA Stormwater Site Inspection Field Manual under BMP SC-22 (Vehicle and Equipment Repair)
2. The County encourages dusting and waterless methods of cleaning buses and vehicles. Very low flow water cleaning is acceptable on the designated wash pad area, as there is adequate slope and drainage to an oil-water separator. Very large vehicles should be cleaned in sections over the slope and drain. The oil-water separator shall be regularly inspected and maintained on a service interval of at least every six (6) months. The oil-water gravity system should be cleaned, evacuated of sediment, dirt, water, oil residue and disposed of per stormwater and recycling requirements. Submit a signed and dated maintenance invoice or checklist copy for the oil-water separator to the SLO County Real Property Services Agent or GSA Stormwater Coordinator for inclusion in the site stormwater annual reporting. A small amount of low-sudsing biodegradable soap or

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detergent can be used in the cosmetic cleaning operations. The County would recognize and approve 'Krud Kutter' or other similar water-based, non-toxic product. Submit to SLO County GSA a product sheet with MSDS for approval prior to washing operations. The low volume of water and biodegradable soap will assure that impacts to the large native blowhole and retention areas are minimized and those areas are able to absorb and fully recharge the wash water. Lessee Staff shall monitor conditions to make sure that washing operations percolate into the existing natural blowhole on the County property and do not overflow or impact in any way the Arroyo Grande Creek.

3. Prior to any washing operations, Lessee Staff shall place an approved rubber or gasketed drain cover of approximately 36" x 36" to cover the existing catch basin overlapping by 4"-6" on each side (see specification attached). Drain cover to be installed prior to and during wash operations on the Inlet catch basin area drain for the upper asphalt paved parking lot. Lessee Staff shall cone off the parking lot/catch-basin area for traffic as needed; the purpose of the drain block is to capture any overspray or migrating wash water at this low spot of parking lot drainage. This area drain transfers collected stormwater by piping under the lower parking lot of the facility and discharges directly to an unnamed tributary informally known as the 'Grace Lane drainage swale' and eventually to Arroyo Grande Creek. Any collecting or ponding water at this blocked drain is to be collected by wet vacuum (shop vac) and discharged into an approved sewer system drain line only (map sink or floor drain that discharges into sewer system). After waste water has been collected and disposed of and all washing operations have been completed, gasket and traffic control cones can be picked up and readied for next day's wash operation.
4. Lessee Staff shall keep approved spill kits for material or liquid spill cleanup onsite in the metal building and outbuilding close to the wash pad area. Staff will know how to utilize spill kits to contain, absorb and bag up normal material spills. One additional gasketed or rubber drain outlet stop or cover will be kept close to the wash pad area drain in addition to the area drain identified in #3 above. In the event of a fuel or other hazardous liquid spill, drain covers will be deployed as indicated above and General Services Agency Maintenance Department contacted for further instructions and response or coordination from the County Safety Officer - (805) 781-5122.
5. A copy of the General Services Agency Stormwater Site Inspection Field Manual will be distributed to the Lessee Staff for information and implementation to their Operations and Maintenance program. The Manual will be kept onsite for reference and updated as required.
6. Lessee Staff at the facility will be required to conduct an Annual refresher Training for Stormwater Pollution Prevention. The training session involves viewing an informational video, taking a quiz, and understanding the correct quiz answers. All personnel will be on a training roster with signatures and dates. Copies of the quizzes, which will be forwarded to the SLO County Real Property Services Agent or GSA Stormwater Coordinator for inclusion in the site stormwater annual reporting. SLO County GSA representatives will provide training materials/video as needed, starting this coming year with Excel Visual 'Rain Check' (Stormwater Pollution Prevention for MS-4's).

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Please notify me of any discrepancies or issues in General Services Agency's interpretation of the South County Rendyard Leases site 800 Rodas Drive, Arroyo Grande, or this Memorandum of Understanding (MOU) between the County of San Luis Obispo and the Lessee.

Signed:



Steve Neer
Architectural Services Division
Associate Capital Projects Coordinator
Phone: 805.781.6168
Fax: 805.781.6218
sneer@co.slo.ca.us

Attached: pictures of drainage and curtail tilewalk areas, wash pad and oil-water separator specifications - drain block & biodegradable soap
Site Plan

c: Jeanette Pell - GSA Director
Mark Moore - Architectural Supervisor
Ken Melchry - Building Maintenance Superintendent
Coryn Macdonald - Property Manager

