



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Works
Department No.: 054
For Agenda Of: May 4, 2010
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Scott D. McGolpin, Director of Public Works Department:
Director(s) 568-3010
Contact Info: Mark Schleich; Deputy Director Public Works 882-3600
SUBJECT: Hearts Therapeutic Riding Academy Lease Agreement
Second Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors execute the Lease Agreement between the County of Santa Barbara and the Hearts Therapeutic Equestrian Center (AKA Hearts Adaptive Riding Program), a local nonprofit organization.

Summary Text:

The initial term of the Lease is ten years commencing on June 1, 2010. The Lease also contains two options of five (5) years each to extend the term. The Lease grants authority to the Director of Public Works to execute those extensions if they are requested by the Hearts Adaptive Riding Program ("Hearts"), and Hearts is in compliance with all the Lease terms and conditions. The Lease contains language allowing either party to terminate upon eighteen (18) months written notice, and acknowledges the agreement between Hearts and Public Works to revise the lease boundaries in accordance with the Exhibit attached to the Lease.

Background:

Hearts Adaptive Riding Programs has provided therapeutic horseback riding to individuals (particularly children) with disabilities on a portion of the closed Foothill landfill since March 16, 1981. The Foothill Landfill is adjacent to the Sheriff's Headquarters and the South Coast Recycling Center and Transfer Station on the Calle Real Campus; the Landfill has limited use due to continued settlement and extensive regulatory requirements. Hearts Adaptive Riding Program and your Board have amended the March 16, 1981 agreement on two occasions; in 1986 (Amendment 1) and in 2006 (Amendment 2).

Both parties felt the need to update the terms and conditions of the 1981 Lease. Today's action reflects that effort in the form of a new lease. In addition to updating insurance and utility provision, the Lease includes an initial 10 year term with two five year extensions. This will allow Hearts to provide a high quality program and assists with fund raising activities.

Fiscal and Facilities Impacts:

Budgeted: Yes.

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative:

The site to which the Hearts facility is moving is not currently being used by the County and the County has no current plans to use it in the future. Hearts is responsible to pay for water and other utilities they use at the Lease site.

Staffing Impacts:

Legal Positions:

FTEs:

Special Instructions: After Board action, distribute as follows:

1. Original Document Clerk of the Board Files
2. Certified Copy Public Works, Attn: Jeff Havlik
3. Minute Order Public Works, Attn: Jeff Havlik

NOTE: Real Property will make copies of the Lease and the Minute Order for Resource Recovery and our files. The certified copy of the Lease will be delivered to Hearts.

Attachments:

Lease Agreement

Authored by:

Jeff Havlik, Real Property Agent, Public Works - Surveyors Division, 568-3073