



# BOARD OF SUPERVISORS AGENDA LETTER

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

**Agenda Number:**

**Department Name:** General Services/Public Works  
**Department No.:** 063/054  
**For Agenda Of:** 7/16/24 Set Hearing  
8/20/24 First Reading  
8/27/24 Second Reading  
**Placement:** Departmental 8/20/24  
Administrative 8/27/24  
**Estimated Tme:** 10 Minutes on 8/20/24  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

**TO:** Board of Supervisors

**FROM:** General Services: Kirk Lagerquist, Director General Services (805) 560-1011  
Public Works: Chris Sneddon, Director Public Works (805) 568-3010

Contact Info: Skip Grey, Assistant Director, General Services Department,  
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Julie Hagen, Deputy Director, Public Works Department  
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**SUBJECT:** Ordinance Renewing Chapter 12A of the County Code; All Districts

## County Counsel Concurrence

As to form: Yes

## Auditor-Controller Concurrence

As to form: N/A

## Recommended Actions:

That the Board of Supervisors:

On July 16, 2024, set a hearing on the Departmental Agenda of August 20, 2024, to consider recommendations regarding an Ordinance renewing Santa Barbara County Code Chapter 12A, County-Owned Property, Article II, Real Property Procedures, Sections 12A-10, 12A-10.1, 12A-11, and 12A-11.1 pertaining to the administration and procedures for managing County-owned property and renewing delegations of authority therein.

On August 20, 2024:

- Receive and file a presentation regarding the renewal of County Code Chapter 12A;
- Approve the introduction (First Reading) of an Ordinance renewing delegations of authority for Santa Barbara County Code Chapter 12A, County-Owned Property, Article II, Real Property Procedures, Sections 12A-10, 12A-10.1, 12A-11, and 12A-11.1 pertaining to the administration and procedures for managing County-owned property therein;
- Read the title of the above Ordinance into the record and waive full reading of the Ordinance; and

- d) Continue the above Ordinance to the Administrative Agenda for August 27, 2024 to consider recommendations, as follows:

On August 27, 2024:

- i.) Consider and approve the adoption (Second Reading) of an Ordinance renewing delegations of authority for Santa Barbara County Code Chapter 12A, County-Owned Property, Article II, Real Property Procedures, Sections 12A-10, 12A-10.1, 12A-11, and 12A-11.1, pertaining to the administration and procedures for managing County-owned property therein; and
- ii.) Find that the proposed actions do not constitute a “Project” within the meaning of the California Environmental Quality Act pursuant to 14 CCR 15378(b)(2), as they consist of “general policy and procedure making” and pursuant to 14 CCR 15378(b)(5) as they consist of organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment, and approve and direct staff to file the attached Notice of Exemption on that basis.

**Summary Text:**

This item is on the agenda to consider approval and adoption of an ordinance renewing certain delegations of authority therein of the Santa Barbara County Code Chapter 12A. Article II of Chapter 12A of the County Code regulates the use of County property and sets forth certain procedures for the acquisition and disposition of various types of interests in real property. Several of the sections in Article II of Chapter 12A are based on provisions of the California Government Code that authorize the Board to delegate administrative authority to enter into minor real estate transactions meeting certain criteria. These delegations save staff time and helps streamline the acquisition/disposition process by eliminating the need to go to the Board of Supervisors. By statute, two of the delegations of authority may only be effective for a period of 5 years, which is set to expire September 17, 2024.

**Background:**

This item was last before your Board on August 20, 2019, when the Board adopted Ordinance No. 5087, amending Articles I and II of Chapter 12A of the County Code, which regulate the use of County property and set forth certain procedures for the acquisition and disposition of various types of interests in real property. Chapter 12A includes delegations of authority to enter into certain leases or licenses of County property (County Code Section 12A-10) and to acquire for the County interests in real property (County Code 12A-11.1). By statute, these delegations may not be effective for more than five years. In 2019, the General Services Department, Real Property Division drafted revisions to Chapter 12A to renew and expand these delegations of authority within the limits allowed by statute and to make other minor revisions to Chapter 12A. At the time, General Services met with representatives from the Public Works Department to ensure concurrence with the revisions and coordinated with County Counsel on the revised sections. The actions taken in the recommendations above will simply renew the delegations of authority for the Ordinance for another five years through 2029.

**CEQA:**

Because the adoption of this Ordinance consists of general policy and procedure making, the proposed actions do not constitute a “Project” within the meaning of the California Environmental Quality Act (CEQA), pursuant to 14 CCR 15378(b) (2), which excludes from the definition of a “Project” certain activities, including “continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy and procedure making.” It is also not a “Project” pursuant to 14 CCR 15378(b)(5) as it consists of organizational or administrative activities of governments that will not

result in direct or indirect physical changes in the environment. Therefore, the Board's proposed action of extending the term of County Code Chapter 12A, regulating the use of County real property and setting forth certain procedures for the County's acquisition and disposition of certain real property rights, which has no possibility of a significant effect on the environment, is not a "project" that requires environmental review under CEQA.

**Fiscal and Facilities Impacts:**

Budgeted: N/A

**Fiscal Analysis:**

The Board of Supervisors' adoption of this Ordinance will have no fiscal or facilities impacts. No funding will be expended in connection with the adoption of this Ordinance except for nominal costs relating to publication of the Ordinance in a newspaper of general circulation.

**Special Instructions:**

The Clerk of the Board is requested to publish notice of the ordinance in accordance with Government Code section 25124.

After Board action, please distribute as follows:

1. Original Ordinance - Clerk of the Board Files
2. Copy of Ordinance & Minute Order - General Services/Real Property

**Attachments**

1. Ordinance
2. Notice of Exemption
3. Presentation