



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: Planning and
Development (P&D)
Department No.: 053
For Agenda Of: July 11, 2023
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Lisa Plowman, (805) 568-2068
Director(s)
Contact Info: Andrew Rasura, Deputy Director, Administration, Planning &
Development Department (805) 568-2031

SUBJECT: SBCAG Airport Land Use Commission Agreement for Services

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions: That the Board of Supervisors:

- A. Approve and authorize the Chair to sign the Agreement with Santa Barbara County Association of Governments (SBCAG) for Airport Land Use Commission related administrative, planning, and environmental services; and
- B. Determine that the above actions are government fiscal activities, which do not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

Summary Text:

Staff is recommending that the 1990 contract with SBCAG for Airport Land Use Commission related tasks be replaced with a new Agreement. The recommended Agreement clarifies the work to be performed, and increases the costs of service from a flat \$15,000 per year to \$50,000 per year with a built-in CPI increase, capped at 3.5% for future years. The \$50,000 for the recommended Agreement was included in Planning and Development's FY 2023-24 Budget. Despite only receiving \$15,000 for Airport Land Use Commission planning services in prior years, SBCAG expended an average of \$68,200 per year on Airport Land Use Commission functions for the last five-years. Moreover, SBCAG does not receive any regular funding for performance of Airport Land Use Commission duties nor are any fees assessed for the services, hence justifying the recommended increase.

Background:

The existing contract for regional planning and forecasting services with Santa Barbara Association of Governments (SBCAG) was approved in 1990. The agreement was amended in 1993 to limit the services to the following Airport Land Use Commission related tasks:

- a) The operation, staffing, administration, support and supplies of the Airport Land Use Commission (ALUC);
- b) The development, presentation and public hearings associated with development and maintenance of regional planning and airport land use planning projects.

The 1993 amended agreement provided for \$15,000 per year, but states “For future fiscal years, the amount payable shall be adjusted as needed and approved by mutual consent of the parties.” Nonetheless, the \$15,000 amount has not changed in the last 30-years.

The updated Agreement retains SBCAG’s responsibility for the Airport Land Use Commission function but sets compensation at \$50,000 for FY 2023-24 and increases it by the Consumer Price Index figure provided by the Bureau of Labor Statistics with a cap of 3.5% annually. SBCAG does not receive any regular funding for performance of Airport Land Use Commission duties nor are any fees assessed for the services. For the five-year period beginning with FY 2017-18, SBCAG expended an average of \$68,200 per year in performance of the Airport Land Use Commission function. With the recent adoption of updated Airport Land Use Compatibility plans the expenses are expected to drop and be more in line with the \$50,000 per year figure included in the updated Agreement. On June 15, 2023 the SBCAG Board of Directors unanimously approved the updated Agreement.

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	\$ 50,000.00	\$ 50,000.00	
State			
Federal			
Fees			
Other:			
Total	\$ 50,000.00	\$ 50,000.00	\$ -

Narrative: The recommended Agreement will increase the 1990 \$15,000 annual amount to \$50,000. The \$35,000 increase was included in Planning and Development’s FY 2023-24 Budget. The recommended Agreement also includes an annual increase tied to the Consumer Price Index (CPI) for future years, capped at 3.5%.

Key Contract Risks:

The Agreement applies the County’s standard independent contractor terms and conditions in accordance with State of California laws and regulations. The risk mitigation includes insurance coverage appropriate for the level of risk involved as determined by P&D in conjunction with the County Risk Manager, and the Agreement indemnifies County agents, officers, and employees, from any claims that may arise from

activities performed under the Agreement. The Agreement also includes a Termination for Convenience clause to further mitigate risk.

Special Instructions:

Please return one copy of the executed Agreement with a certified stamped Minute Order to Andrew Rasura at Planning & Development.

Attachments:

- A. Agreement for Services
- B. 1990 Agreement for Services
- C. 1993 First Amendment to Agreement for Services

cc: Michael Becker – SBCAG