



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:** General Services/  
Community Services  
**Department No.:** 063/057  
**For Agenda Of:** November 1, 2016  
**Placement:** Administrative  
**Estimated Time:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** 4/5

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**TO:** Board of Supervisors  
**FROM:** General Services Matthew P. Pontes, Director (805) 560-1011  
Community Services George Chapjian, Director (805) 568-2467  
Contact Info: Skip Grey, Assistant Director, General Services (805) 568-3083  
**SUBJECT:** **Second Amendment to Lease Agreement for YMCA at Waller County Park (001029) Fourth Supervisorial District**

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** Risk Manager

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute the attached original and duplicate original Second Amendment to Lease Agreement between the County of Santa Barbara and the Santa Maria Valley Young Men's Christian Association (hereinafter "YMCA") to extend the term by ten (10) years from January 2, 2027 to January 2, 2037; and
- b) Determine that the proposed action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301, Existing Facilities, and approve and direct staff to file and post the attached Notice of Exemption (Attachment 2) on that basis.

**Summary Text:**

The Board's action to approve the Second Amendment to Lease Agreement between the County and the YMCA will allow the YMCA to continue to operate its recreational and educational facility located at Waller County Park (hereinafter, "Property") for an additional ten (10) years, through January 2, 2037.

**Background:**

On January 3, 1977, the Board of Supervisors approved and executed a fifty-year lease agreement (“Lease Agreement”) between the County and the Santa Maria Valley YMCA, whereby the YMCA would occupy a portion of Waller County Park in Santa Maria for the purpose of installing recreational and educational facilities for public use. The Lease Agreement allows the Board to approve up to four ten year extensions, for a maximum lease term of ninety years. In accordance with the Lease Agreement and the approved master plan, the YMCA constructed and installed buildings and facilities on the leased premises to carry out the purposes of the Lease Agreement.

In August of 2016, the County received informal notice that the YMCA would like to install solar panels on the property and wishes to extend the term of the Lease Agreement an additional 10 years. The Lease Agreement is set to expire on January 2, 2027. YMCA anticipates that amortizing the solar panel’s cost will require more than the approximately ten years remaining on the Lease Agreement. The additional term of 10 years will provide the YMCA with approximately twenty (20) years term to amortize the cost of installing the proposed solar panels.

Section 5 FACILITIES, of the First Amendment to Lease Agreement states, in part: “Any construction or alteration proposed by YMCA in, on, or about the Property shall be presented to County in written form with proposed plans and specifications prior to any construction or alteration. County, through its Parks Department, shall issue a written approval or disapproval of any plans or specifications submitted pursuant to this Section.” YMCA has presented a conceptual plan for installation of solar facilities on their leased portion of the Property, and the CSD Parks Division is in the process of reviewing the conceptual plan.

Execution of the Second Amendment to Lease Agreement provides for the continued operation, repair, and maintenance of the YMCA, an existing public structure. The action will involve negligible expansion of use, and is not likely to have a significant environmental impact. Therefore, this project is exempt from environmental review in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15301 – Class 1, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.

**Performance Measure:**

The YMCA continues to perform under the terms and conditions of the original Lease Agreement, executed on January 3, 1977, and the First Amendment to Lease Agreement, executed February 15, 2005. In particular, the YMCA remains in compliance with Section 4, AUTHORITY, PURPOSE AND USES.

**Contract Renewals and Performance Outcomes:** N/A

**Fiscal and Facilities Impacts:**

There will be no fiscal or facilities impacts. Budgeted: N/A

**Key Contract Risks:** N/A

**Special Instructions:**

After Board action, the Clerk should distribute as follows:

1. Original Second Amendment to Lease Agreement to Clerk of the Board Files

2. Duplicate Original Second Amendment to Lease Agreement, and copy of the Minute Order to General Services/Real Property, Attn: Don Grady
3. Copy of Minute Order to Community Services Department, Attn: Jill Van Wie

\*Upon approval by the Board, please post the attached Notice of Exemption.

**Attachments:**

1. Original and Duplicate Original Second Amendment to Lease Agreement
2. Notice of Exemption

**Authored by:**

A. Kinsella, Real Property Agent