



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
Department No.: 063
For Agenda Of: March 11, 2014
Placement: Administrative
Estimated Tme:
Continued Item:
If Yes, date from:
Vote Requirement Majority

TO: Board of Supervisors
FROM: General Services Matthew P. Pontes, Director (805) 560-1011
Community Herman Parker, Director (805) 568-2467
Services
Contact Info: Greg Chanis, Assistant Director (805) 568-3096
Paddy Langlands, Deputy Director of County Parks (805) 568-2475
**SUBJECT: Orcutt Babe Ruth League Use Agreement at Waller County Park; Fourth District;
Folio: 002302**

County Counsel Concurrence

As to form: Yes

Other Concurrence

Risk Management, Community Services Department

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 Use Agreement between the County of Santa Barbara and Orcutt Babe Ruth League, at Waller County Park (APN: 111-100-015), to continue their use of a portion of the Park for the purpose of operating a youth baseball facility, for a period of approximately five (5) years, with two additional five-year options to extend, which can be approved and executed by the Director of the General Services Department, or designee (Fourth District); and
- b) Determine that the proposed action is exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301, Existing Facilities, and approve and direct staff to file and post the attached Notice of Exception on that basis.

Summary:

This Board action will allow the Orcutt Babe Ruth League, Inc., a California non-profit corporation, (League) to continue operating a youth baseball facility at Waller County Park for a period of five (5) years, with an option to extend the Agreement for two (2) additional five-year terms, for the purpose of

encouraging recreational opportunities for youth in the local community. As consideration for its use of the facility, the League is responsible for watering the infields, collecting trash, and providing maintenance and repair of the score board, concession stand, dugouts, bleacher stands, and infield grounds.

Background:

A portion of Waller County Park was developed as a baseball facility in 1966. On March 24, 1986, the County entered into an agreement with the League for the purpose of improving and operating the baseball facility and to promote youth baseball activities in the local community. That agreement was extended several times, most recently on March 27, 2007, with a term that expired December 31, 2011. Currently, the League is holding over under the terms of that expired agreement. The facility now consists of two baseball fields with ancillary improvements, such as bleachers, a scoreboard, dugouts, and a concession stand. When not being used by the League, the baseball facility is made available for use by the general public and other youth sports groups, on a non-preferential basis.

This Use Agreement will commence upon final execution by the Board of Supervisors, and continue for a period of approximately five years, through December 31, 2018. The League is granted options to extend the agreement for two additional terms of five years each, upon the mutual agreement of the County and the League. The Director of the County's General Services Department, or designee, may agree to the extensions on behalf of the County. In Lieu of use fees, the League will continue to be responsible for maintaining the infields, concession stand, score board, and uncovered bleachers, as well as managing the youth baseball activities and coordinating with other users of the playing fields. The Use Agreement prohibits the League from charging fees to other users of the facilities, except to reimburse for maintenance costs or damages to the playing fields or facilities.

The County will continue to be responsible for watering all landscaped areas around the playing fields, watering and mowing the grass in the outfield playing areas, and payment of water, electricity, sewer, and trash collection fees. In the event the League installs new utility infrastructure, or increases its use of water, electricity, sewer or trash containers, County reserves the right to meter such increase in use, and the League agrees to pay for all utilities serving the playing fields and appurtenances upon written notice from County. County retains the right to terminate the agreement in the event of default by the League.

Approval of the Use Agreement provides for the League's continued operation, maintenance, and use of the baseball facilities at Waller Park. It does not involve any expansion of use or any significant physical changes that would have any potential effect on the environment. 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.

Fiscal and Facilities Impacts:

There will be no new fiscal impacts caused by execution of the Use Agreement. In exchange for the use of the baseball facilities, the League will continue to maintain certain portions of the playing fields and facilities (watering infields, collecting all trash generated by the concession stand, and maintenance and

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repair of the score board, concession stand, uncovered bleacher stands, dugouts, and infield grounds). The Parks Division of the Community Services Department will continue to maintain all landscaped areas around the playing fields, the outfield playing areas, and to pay utility charges for water, electricity, sewer, and trash collection. The Parks Division currently budgets for labor, services and supplies for ongoing maintenance and utilities in Fund 0001, Program 0701, Project NCPWAL.

Special Instructions: After Board action, distribute as follows:

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| 1) Original Use Agreement | Clerk of the Board File |
| 2) Duplicate Original Use Agreement | Real Property Attn: A. Hensley |
| 3) Minute Order | Real Property Attn: A. Hensley |
| 4) Copy of Use Agreement & Minute Order | Auditor-Controller, Financial Reporting Division-
Attn: Betsy Schaffer |

Attachments:

1. Original and Duplicate Original Use Agreement
2. Notice of Exemption

Authored by:

AH, General Services