



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: September 22, 2009
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Bob Nisbet, Director (560-1011)
Director(s) General Services Department
Contact Info: Paddy Langlands, Assistant Director (568-3096)
Support Services Division

**SUBJECT: Transitions Growing Grounds II Lease at Foster Road, SM; ORES Folio: 003343;
Fifth Supervisorial District**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Manager

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Determine that the services provided to seriously mentally ill adult clients of Santa Barbara County by Transitions Mental Health Association (TMHA) are necessary to meet the social needs of the County, and that TMHA therefore qualifies for a rent subsidy pursuant to Government Code §26227; and
- b) Determine that the County-owned unimproved property located at the corner of California and Foster Roads, in the city of Santa Maria, County of Santa Barbara, will not be needed for County purposes in the foreseeable future; and
- c) Approve a Ground Lease Agreement between Transitions Mental Health Association and the County of Santa Barbara granting TMHA the right to lease a portion of approximately 2 acres of county-owned unimproved property located at the Foster Road Campus (APN 111-230-004) for the purpose of a farming operation that will provide a structured, supervised environment to enable seriously

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mentally ill adult clients of Santa Barbara County for a period of approximately five (5) years from the date of approval to August 1, 2014, at no cost to County.

Summary Text: On September 9, 2008, the Board of Supervisors directed General Services Department staff to continue this leasing effort at no cost to County. The Ground Lease Agreement will enable TMHA to continue the farming operations known as Transitions Growing Grounds Farm II.

Background:

Since August 24, 1999, Transitions Mental Health Association (TMHA) has been providing services to the seriously mentally ill adult clients of Santa Barbara County pursuant to a Board approved *Agreement for Services of Independent Contractor* with the County's Department of Alcohol, Drug and Mental Health Services. The concept of a horticultural program was proposed and the county owned property at the Foster Road Campus was identified and a lease initiated to carry out the program. The farming operation would provide a structured, supervised environment to enable seriously mentally ill adult clients of Santa Barbara County to develop and exercise skills promoting independence, meaningful daily activity, and self-esteem. The county owned property at the Foster Road Campus has been leased to the TMHA pursuant to a 12A10 Lease Agreement dated August 1, 2001 and a Ground Lease Agreement dated November 14, 2006. Both lease agreements were ancillary to and ran concurrently with an existing service contract.

Due to the economy, state funding for mental health programs to counties has decreased significantly. In 2008, the Department of Alcohol, Drug and Mental Health Services, realizing that they could no longer fund all mental health programs, approached the Board of Supervisors with recommended actions. The Board of Supervisors approved funding the program until July 31, 2008. Transitions Mental Health Association requested that the County Board of Supervisors allow their organization to continue providing the services and acknowledged that they would not be receiving funds from the County. However, Transitions Mental Health Association requested the continued use of the county owned property at the Foster Road Campus to carry out the services.

Government Code Section 26227 states that the board of supervisors of a county may contract with other public or private agencies or individuals to operate programs which they determine will serve public purposes. In the furtherance of those programs, the board of supervisors may make available to a public agency, nonprofit corporation, or nonprofit association any real property of the county which is not and, during the time of possession, will not be needed for county purposes, to be used to carry out the programs, upon terms and conditions determined by the board of supervisors to be in the best interests of the county and the general public.

Fiscal and Facilities Impacts:

Transitions Mental Health Association will pay all utilities and services related to the property and program.

Staffing Impacts: None

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Special Instructions:

Upon approval and execution of the Ground Lease, the Clerk should distribute as follows:

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| 1. Original executed document | Official File |
| 2. Dupl. orig. exec. Doc. & Minute Order | Attn: Connie Smith, Office of Real Estate Svcs.,
Courthouse, 2 nd Floor East Wing |

NOTE: Upon receipt of the fully executed duplicate original Ground Lease Agreement, Office of Real Estate Services will copy the document for their file and forward the duplicate original to Transitions Mental Health Association.

Attachments: One (1) original and one (1) duplicate original Ground Lease Agreement

Authored by: Connie Smith, Office of Real Estate Services