



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 11, 2018  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** General Services Janette D. Pell, Director (805) 560-1011  
Contact Info: Skip Grey, Assistant Director, General Services (805) 568-3083  
Don Grady, Manager GS/Real Property Division (805) 568-3065  
**SUBJECT:** Service and Ground Lease Agreement to Solvang Senior Center, Third District  
(R/P File No.: 002121)

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** Risk Manager

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Find that the programs and services provided at the Solvang Senior Center at 1745 Mission Drive in Solvang (the "Subject Property") by the Santa Ynez Valley Senior Advisory Council Incorporated, a California non-profit corporation, DBA Solvang Senior Center ("SYVSAC"), are necessary to meet the health, welfare, and social needs of the local senior community; and
- b) Approve and authorize the Chair to execute the attached original and duplicate original Service and Ground Lease Agreement (the "Lease") between SYVSAC as Lessee and the County of Santa Barbara as Lessor wherein the County, pursuant to California Government Code Section 26227, leases the Subject Property for a period of 20 years with three 10-year renewal options and allows for, but does not entitle, SYVSAC to construct a replacement facility on the Subject Property subject to final approval by county's Board of Supervisors at a future date; and
- c) Determine that the recommended actions are exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 because they consist only of the continued leasing of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that which presently exists, and are

not otherwise the approval of a project pursuant to CEQA Guidelines Section 15352 because the County has not committed to any specific project and retains full discretion to approve, change or reject any proposed project based on future environmental review, and direct staff to file a Notice of Exemption on that basis.

**Summary Text:**

This item is on the agenda for the approval of a replacement Service and Ground Lease Agreement for the Solvang Senior Center. The Solvang Senior Center is currently leased to SYVSAC, which provides programs and services necessary to meet the health, welfare, and social needs of seniors, including a daily noontime meal five (5) days a week, guidance and advice on tax and legal matters, transport to medical centers, hospice counseling and other related senior activities. The current lease expires December 31, 2019 with an option to renew until 2024. The proposed Lease would allow SYVSAC to continue leasing that portion of land on County property known as APN: 139-150-025 for a term of 50 years should all options to extend be exercised no less than 9 months prior to the expiration of the then current term and approved by the Board of Supervisors in open session. This action falls under California Government Code §26227 which allows the board of supervisors of a county to fund programs deemed necessary to meet the social needs of the population of the county and to make available any real property of the county which shall not be needed for county purposes during the time of possession.

California Government Code §26227 also allows a county's board of supervisors to assist, via a leasing arrangement, the improvement of real property to be used for social need programs. The proposed Lease will expand the Site from 12,000 SF to 16,000 SF to accommodate SYVSAC's pursuit of their plans to make improvements at the Site by replacing the existing, old and deteriorated modular units with a new and larger facility owned by SYVSAC and constructed solely from funding generated by SYVSAC. SYVSAC must obtain all required permits from and complete CEQA compliance with the City of Solvang prior to the Board's consideration of the proposed construction project. 65402 compliance has been obtained from the City of Solvang. The City of Solvang has also waived Section 11-8-3 A & C of their Municipal Zoning Code limiting smoke on the lot other than for heating of the building, therefore allowing for outdoor use of BBQ's. SYVSAC contends that their estimated investment would be approximately \$2,000,000 (6,645 SF at \$300/SF) and that they have raised \$1,000,000 and will obtain a loan for the remainder of the funds necessary to complete the project. This new Lease prohibits the SYVSAC from securing their investment by encumbering the County's property or their leasehold interest in the property. The new facility as currently planned consists of a two-story building that is 6,645 SF, ADA compliant, with additional parking. Offices and meeting rooms totaling 1,200 SF will be located on the second floor and the remaining 5,500 SF area will consist of a large dining room, kitchen, ADA accessible restrooms, and outside eating area with a built-in barbeque grill. The proposed Lease requires SYVSAC to obtain final approval from the County board of Supervisors before proceeding with any proposed construction. The Board would retain full discretion to require a project alternative, impose mitigation measures, or disapprove the Project.

**Background:**

The Solvang Senior Center has been in operation since 1983. They began leasing, from the County, their current site located at 1745 Mission Drive in Solvang, as of January of 1983. The Senior Center is in a state of deterioration and needs improvement. As of mid-2017, the Senior Center was 404 members strong, adding over 100 members in the span of the year leading up to this date. Due to increased membership, the Senior Center has outgrown their existing facility and wishes to construct a larger facility

in order to provide more services and opportunities, in the form of meeting space, to the local senior community and other locally based non-profits.

If approved, the proposed new facility and anticipated revenue increase will facilitate expansion of services available to seniors. The new facility will not only meet the demand for services, as shown by the recent increase in membership, but will also encourage more participation from the senior community and Santa Ynez Valley non-profits. Current services provided include twenty weekly classes covering physical and mental well-being, daily lunches, and monthly off-campus outings. The enlarged facility will encourage both physical involvement at the senior center, but also financial involvement by serving as a joint fundraising center by drawing in foundations, community grants, and membership dues.

Currently, other facets of the community utilize the facility for services such as AARP free tax preparation and Safe Driving Courses, HI-CAP (Medicare) presentations, Rotary Club meetings, provision of meeting space for Santa Ynez Valley non-profit board meetings, and dinner nights sponsored by local organizations. The facility's increased capacity will bolster provision of the above-stated services and events.

The replacing of the current lease with a new lease for the existing leasehold interest is exempt from CEQA pursuant to CEQA Guidelines §15301, *Existing Facilities* due to it being the leasing of an existing facility. Pursuant to CEQA Guidelines §15352, the recommended actions do not otherwise consist of the "approval" of a project subject to CEQA because it will not commit the County to any specific project. Future final Board approval is required for any proposed construction and is expressly conditioned on full compliance with CEQA. The Board will retain full discretion to require SYVSAC to adopt an alternative, impose mitigation measures, or disapprove the project in response to environmental review. Furthermore, the County would not be committed to the project as a practical matter because it will have the option of terminating the lease for convenience until the Board approves construction.

**Fiscal and Facilities Impacts:**

Execution of this Lease will not result in any fiscal or facilities impacts on the County.

**Staffing Impacts:** N/A

**Special Instructions:**

After Board action, please distribute as follows:

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| 1. Original Lease Agreement                          | Clerk of the Board Files            |
| 2. Duplicate Original Lease Agreement & Minute Order | M. Pagliuso, Real Property Division |

NOTE: The Clerk shall post the NOE upon Board approval.

**Attachments:**

1. Original and Duplicate Original Lease
2. CEQA Notice of Exemption

**Authored by:** MP/CS, Real Property Division