



**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:** County Executive  
**Department No.:** 012  
**For Agenda Of:** June 28, 2022  
**Placement:** Administrative  
**Estimated Tme:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

**TO:** Board of Supervisors  
**FROM:** Department: Mona Miyasato, County Executive Officer  
Director: County Executive Office  
Contact Info: Terri Nisich, Assistant County Executive Officer 568.3412

DocuSigned by:  
*Terri Maus-Nsich*  
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**SUBJECT:** **Amendment to Cooperative Agreement between the County of Santa Barbara, the University of California at Santa Barbara (UCSB) and the City of Goleta for minor revision allowing certain facilities to be placed in a road right of way**

**County Counsel Concurrence**

As to form: Yes  
Other Concurrence: Risk Management  
As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors consider the following recommendations:

- a) Approve and authorize the Chair to execute a Amendment No. 1 (Attachment A) to the Cooperative Agreement (Attachment B) by and among The Regents of the University of California, a California public corporation, on behalf of the University of California, Santa Barbara, the City of Goleta, and the County of Santa Barbara, to make a minor revision to allow certain facilities to be placed in a road right of way and;
- b) Determine that the proposed action does not constitute a “Project” within the meaning of California Environmental Quality Act (CEQA), pursuant to Section 15378(b)(4) of the CEQA Guidelines, because it consists of the creation of a government funding mechanism or other government fiscal activities, which does not involve any commitment to any specific project which may result in a potentially significant impact on the environment.

**Summary Text:**

This item is on the agenda to request approval of an amendment to the Cooperative Agreement (hereby “Agreement”) by and among The Regents of the University of California, a California public corporation, on behalf of the University of California, Santa Barbara (the “University”), the City of Goleta (the “City”), and the County of Santa Barbara (the “County”). The amendment will allow certain facilities to be placed in a road right of way easement along northwest border of University property near Phelps Road.

Cooperative Agreement  
Agenda Date: May 17, 2022  
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**Background:**

The Agreement dated November 16, 2006 was effective April 3, 2008 in furtherance of the University's proposed faculty and family student housing projects identified in the North and West Campuses 2006 Long Range Development Plan Amendment and associated Notice of Impending Development and Coastal Development Permit which have been approved by the California Coastal Commission.

Approval of the Amendment will allow the University to place certain facilities in the road right of way easement enumerated in Section 5 of the Agreement along northwest border of University property near Phelps Road. These include concrete pads for the purpose of placing air conditioning condensers, overhangs with post elements attached to a building for the purpose of architectural treatment, and roof eave overhangs and bay window projections. The Agreement identifies that the right of way in question is an easement formerly held by the County, that was transferred to the City upon its incorporation in 2002. In 2012, by Resolution No. 12-56, the City summarily vacated the easement. The Amendment to the Agreement is limited to this minor revision. Although the right of way at issue is not a County easement or right of way, the Agreement may only be amended if signed by each party to the Agreement, including the County.

**Fiscal and Facilities Impacts:**

Budgeted: No

**Fiscal Analysis:**

Narrative: The amendment of Section 5 of the Agreement does not change the fiscal obligations of the University or City as they pertain to the County.

**Staffing Impacts**

There are no staffing impacts.

**Special Instructions:**

Please execute three (3) original First Amendments to the Cooperative Agreement and retain one (1) original Amendment and one (1) Minute Order for pick-up by the department. Please contact

[ljwalter@countyofsb.org](mailto:ljwalter@countyofsb.org)

**Attachments:**

- A. Amendment No. 1 to Cooperative Agreement Between University of California, Santa Barbara, City of Goleta, and County of Santa Barbara
- B. Cooperative Agreement University of California, Santa Barbara, City of Goleta, and County of Santa Barbara November 16, 2006

**Authored by:**

Lindsay Walter, Principal Management Analyst

**cc:**

Lisa Plowman, Planning and Development Director  
Daniel Klemann, Planning and Development Deputy Director