



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: December 8, 2020
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: 4/5 Vote Required

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
SUBJECT: Lease and Management Agreement for Santa Ynez Valley Airport, Third District (R/P File No.:2627)

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) Approve and authorize the Chair to execute the attached Lease and Management Agreement (the "Lease") between the Santa Ynez Valley Airport Authority, Inc. ("SYVAA") as Lessee and the County of Santa Barbara as Lessor wherein, pursuant to California Government Code sections 25536, 50474 et seq. and 50478, the County replaces the existing original lease with a new lease of the Subject Property (APN 141-220-005), and contract for the management of the airport for a period of 50 years at a rental rate of One Dollar (\$1.00) per year; and
- b) Determine that the recommended actions are exempt under California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301, as the action consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features and involve negligible or no expansion of use, and approve and direct staff to file and post the attached Notice of Exemption on that basis.

Summary Text:

This item is on the agenda for the approval of a new Fifty (50) year Lease and Management Agreement for the Santa Ynez Valley Airport Authority (“SYVAA”). The SYVAA currently leases and manages the Airport pursuant to an original 50-year Lease and Management Agreement that became effective June 1, 1993, and was subsequently amended by a First Amendment dated August 27, 1996, a Second Amendment dated June 16, 1998, and a Third Amendment dated December 15, 2005. Both the County and the Airport Authority desire to replace the original Lease with this new 50- year agreement that, among other things, consolidates the original 1993 agreement and the three amendments.

Background:

The Santa Ynez Valley Airport is a 124-acre general aviation airport located in mid-County. It has played a vital role in supporting air operations for the County of Santa Barbara’s Fire Department and Sheriff Aviation Unit as well as staging United States Fire Service (USFS) wildfire operations. The Santa Ynez Airport Authority, a non-profit public benefit corporation, has managed the Airport since 1993 when it took control of airport operations from the County pursuant to a 50-year Master Management Agreement and Lease for Santa Ynez Airport. The Agreement allowed either the County or the Authority to terminate the Agreement for cause, without cause, or on the happening of any of the specific events included in the Agreement. The County and the Authority are interested in updating the master lease and the Authority desires to update their by-laws, both of which have become outdated over the last 27 years. General Services will work with the Authority as they update their by-laws in the coming months.

In addition to consolidating the three amendments, this new Fifty (50) year agreement includes the following major changes made to the original lease:

- It deletes non-relevant language related to completed requirements that were included in the 1993 agreement.
- It requires the Authority’s Bylaws to be updated, with those updates and all future changes, approved by the County.
- It requires all subleases of real property by the Authority for a period of time in excess of ten years, to be approved by the Director of General Services.
- There are two designations for members: “Users” and “Non-Users”. A User is a tenant or occupant of land or a building at the Airport, a person who has a real property interest in the Airport, or has been granted contract rights to use the Airport. A Non-User is anyone who does not qualify as a User. Under the 1993 agreement, membership was to be composed of 40% Users and 60% Non-Users. To allow more flexibility as members join or drop off, the Authority requested leeway in this 60/40 split. Therefore, newly added language provides flexibility by allowing the User or Non-User percentages to vary up to 5% either way.
- Clarifies the existing requirement that Airport Authority Board must be 5 non-users and 4 users and that this cannot vary in either direction.
- It specifies that hangar rental values shall be assessed every five (5) years by an independent appraisal as authorized and reviewed by the County and that the hangar rents may be consistent with prevailing market rates.
- It updates references to open meetings and Brown Act requirements.
- It updates the County’s indemnification and insurance requirements to current standards.

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.

Fiscal and Facilities Impacts:

Execution of this Lease will not result in any fiscal or facilities impacts on the County other than a \$50 rental fee that will be paid by the airport at the start of the lease.

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. Original Lease Agreement & Minute Order | Skip Grey, General Services |

Attachments:

1. Original Lease
2. CEQA Notice of Exemption

Authored by: Skip Grey