



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: Community Services
Department No.: 057
For Agenda Of: November 6, 2012
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: 4/5

TO: Board of Supervisors
FROM: Department Director(s) Herman Parker, Community Services Director (805) 568-2467
Contact Info: Paddy Langlands, Interim Deputy Director (805) 568-2475
SUBJECT: Summerland Greenwell Preserve Lease Agreement; Summerland Citizens Association; First Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management, General Services
Public Works

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Determine that the services provided by the Summerland Citizens Association are necessary to meet the social needs of the County, pursuant to California Government Code Section 26227;
- b) Determine that the County-owned property located in the Town of Summerland and known as the Summerland Greenwell Preserve on Greenwell Avenue (APN: 005-080-004) will not be needed for County purposes;
- c) Approve and authorize the Chair to execute the attached original and duplicate original Lease Agreement between the County of Santa Barbara and the Summerland Citizens Association, a California non-profit association, to operate, maintain and repair the Summerland Greenwell Preserve in Summerland, California for a period of twenty (20) years with optional extensions of three (3) additional one (1) year periods at the mutual agreement of the Summerland Citizens Association and the Director of Community Services (Attachment A) (4/5 vote required);
- d) Approve the payment of \$36,320 from County Service Area 11 over the next three years for one-time deferred maintenance that includes the removal of non-native plants, maintenance of native plants and also the completion of an existing wall, and with an annual reimbursement in an amount not to exceed \$3,120 from County Service Area 11 for ongoing maintenance, nursery management,

and administration, including utilities and waste holding tank maintenance as outlined in the Lease Agreement (4/5 vote required); and

- e) Determine that the Board's approval of the Lease Agreement is exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15301, finding that the project is for the operation, repair, maintenance, leasing, licensing, or minor alteration of existing public structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the Board's determination and direct staff to file the attached draft Notice of Exemption (Attachment B).

Summary Text:

These Board actions will allow the Summerland Citizens Association (SCA) to operate, maintain and repair the Summerland Greenwell Preserve for a period of twenty (20) years with optional extensions of three (3) one-year periods upon mutual agreement. The Lease Agreement would include the County's payment of \$36,320 over a three year period for one-time deferred maintenance, which would include non-native plant removal, pruning and trimming native plants, overseeing maintenance crews and the completion of an existing wall. In addition, the County will also reimburse an amount not to exceed \$3,120 annually for ongoing maintenance, nursery management, and administration, including utilities and waste holding tank maintenance, associated with operation of the property. These costs would be funded through County Service Area-11 (CSA-11): the one-time costs through the fund balance and the annual ongoing costs through ongoing revenue.

Background:

The County owns the Summerland Greenwell Preserve in Summerland, which previously served as a County Public Works Road Yard. Under a now expired agreement, the Summerland Citizens Association leased the property and buildings at the Summerland Greenwell Preserve from 1998 through 2003. On July 10, 2012, the Board of Supervisors directed staff to move forward with drafting a new Lease Agreement with the SCA that includes provisions for County's payment of \$36,320 over three years and an annual payment in an amount not to exceed \$3,120 to the SCA.

The Summerland Citizens Association will utilize the facility to promote education on the eradication of non-native landscaping and offer the building as a meeting space for local non-profits. Through a series of community meetings in the past, SCA developed the Greenwell Preserve Business Case, which is attached to the Lease Agreement as Exhibit D.

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, leasing, licensing, or minor alteration of existing public structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing at the time of the Board's determination.

CSA-11 provides funding for street lighting services and open space maintenance for the three County Parks in the Summerland Community: Lookout Park, Ocean View Park and the Greenwell Preserve.

Fiscal and Facilities Impacts: Budgeted: yes

Fiscal Analysis:

The Lease Agreement provides that the costs of the one-time deferred maintenance that includes the removal of non-native plants, maintenance of native plants and also the completion of an existing wall totaling \$36,320 would be provided from CSA-11 fund balance over a three year period. The \$3,120 per year for ongoing maintenance, nursery management, and administration, including utilities and waste holding tank maintenance would also be provided from CSA-11 over the 20-23 year term, with these costs totaling \$62,400-\$71,760. As shown in the CSA-11 fund balance spreadsheet prepared by the CSA-11 Public Works fund manager, attached hereto as Attachment C, the CSA-11 fund balance is approximately \$640,000.

Attachments:

Attachment A – Lease Agreement
Attachment B – CEQA Notice of Exemption
Attachment C – CSA-11 fund balance spreadsheet

Special Instructions:

After Board action, the Clerk should distribute as follows:

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| 1) Original Agreement | Clerk of the Board File |
| 2) Duplicate Original Agreement & Minute Order | CSD –Parks, Attn: P. Langlands |
| 3) Copy of Original Agreement & Minute Order | CSD, Jessica Rauch |
| 4) Copy of Original Agreement & Minute Order | ORES, Ronn Carlentine |