



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 14, 2021  
**Placement:** Administrative  
**Estimated Tme:** N/A  
**Continued Item:** No  
**If Yes, date from:** N/A  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** General Services Director Janette D. Pell, Director, (805) 560-1011  
Contact Info: Skip Grey, Assistant Director, (805) 568-3083  
**SUBJECT:** **Extend Temporary Authorization to General Services Director to Execute COVID-19 Related Real Estate Transactions – All Districts**

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**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) Extend temporary delegation of authority to the General Services Director, until otherwise ordered by the Board but in no event later than March 31, 2022, to negotiate and execute various Real Property contractual agreements and leases that are otherwise beyond the scope of her current authority under County Code Chapter 12A Article II, subject to the following limitations:
  - 1) The delegation expires in the event that the COVID-19 local emergency is terminated;
  - 2) The contractual agreements involve the license, lease or acquisition of property that is necessary for the purposes of managing the County's response to the COVID-19 pandemic; and
  - 3) The County Executive Officer, Auditor Controller, Risk Management and County Counsel concur; and
  - 4) The contractual agreements are subject to approval and ratification by the County Board of Supervisors at the next reasonably available Board Hearing date; and
- b) Determine that the recommended action is not the acceptance and approval of a project that is subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(5), finding that the action consists of organization or administrative activities of government that that will not result in direct or indirect physical changes in the environment; and that the recommended action is also exempt from CEQA pursuant to Guidelines Section 15269(c) as it consists of specific action necessary to prevent or mitigate an emergency and direct staff to file a Notice of Exemption on that basis.

**Summary Text:**

This item is on the agenda for the Board to extend the temporary delegation of authority to the General Services Director to negotiate and execute various Real Property contractual agreements and leases that are otherwise beyond the scope of her current authority, through March 31, 2022, subject to the limitations detailed above. The recommended actions will aid the County to continue to address the COVID-19 pandemic in an expeditious manner and in what continues to be a very competitive real estate market.

**Background:**

On March 12, 2020, the Board of Supervisors declared a local emergency in response to the COVID-19 pandemic. On December 15, 2020, the Board of Supervisors temporarily delegated authority to the General Services Director until otherwise ordered by the Board but in no event later than December 31, 2021, to negotiate and execute various Real Property contractual agreements that would otherwise be beyond the scope of authority under County Code Chapter 12A Article II.

Since that time, as more state and federal funding has become available, the County has entered into various Real Property agreements, including the Orange Tree Hotel Occupancy Agreement which was executed on April 23, 2021, and ratified by the Board of Supervisors on May 11, 2021. This enabled nineteen (19) guests to quickly relocate on April 28, 2021, when the Pepper Tree Hotel was unexpectedly sold on short notice.

It is essential the County take an aggressive approach with these types of transactions in order to remain competitive in an active real estate market by expeditiously submitting serious offers for acquisition and leasehold purposes for those properties which meet various County departmental and financial criteria.

The shortage of qualified inventory and market demands for commercial, office and residential real estate in Santa Barbara continues, and a prolonged approach to the commencement of acquisition, restricts the County's competitive effort to secure these much-needed assets for the public good and further curtails the County's ability to enter into purchase and escrow agreements in a timely manner as required.

Any acquisition, license or lease agreement that exceeds the authority of the General Services Director will continue to be presented to the Board of Supervisors for the necessary final approvals and to request any necessary budget adjustments through the normal budget provisioning process.

**Performance Measure:**

N/A

**Fiscal and Facilities Impacts:**

Budgeted: Transactions associated with this authority will be likely budgeted and funded with Homekey, Roomkey, ARPA and other funding sources.

Temporarily Authorize the General Services Director for COVID-19 Related Real Estate Transactions

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