



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: July 11, 2017
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

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 Agreement with AT&T Wireless at Rincon Park, Carpinteria; First District (R/P File No.: 003017)

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form:

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 Agreement between the County and AT&T Wireless for AT&T's continued operation and maintenance of a wireless communication facility on a portion of the County-owned property known as Rincon Park, located at 100 South Bates Road, in Carpinteria, also known as Assessor's Parcel Number 001-220-100, for a term of ten (10) years for an annual base rent of Thirty Four Thousand Six Hundred Sixty-Eight Dollars and 60/100 Dollars (\$34,668.60); and
- b) Determine that the proposed action of approving AT&T's continued leasing, operation and maintenance of the wireless communication facility is exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301, *Existing Facilities*, and approve and direct staff to file and post the attached Notice of Exemption on that basis.

Summary Text:

This item is being brought to the Board of Supervisors to request the Board's approval and execution of the Lease Agreement for AT&T Wireless at Rincon Park ("Lease") to allow AT&T Wireless to continue to operate and maintain a telecommunications facility on a portion of the County-owned property located at Rincon Park, located at 100 South Bates Road, in Carpinteria ("Property").

Background:

The County-owned Property known as Rincon Park is located at 100 South Bates Road, in the unincorporated area of the County of Santa Barbara, near the City of Carpinteria. On November 12, 1996, the County and AT&T Wireless entered into a Lease Agreement, allowing AT&T Wireless to install and operate a telecommunications facility on the property.

This new Lease Agreement will allow AT&T to continue operating, maintaining, repairing, and upgrading the telecommunications facility. The Lease is for an initial term of ten (10) years, and two (2) additional terms of five (5) years each upon the mutual agreement of the County and AT&T Wireless. The annual base rent will be Thirty Four Thousand Sixty Hundred Sixty Eight and 60/100 Dollars (\$34,668.60) with an annual cost of living adjustment of three percent (3%). If both renewal terms are extended, the total rent consideration paid during the term of this Lease will be Nine Hundred Thirty-Three Thousand Five Hundred Fifty-Eight and 27/100 dollars (\$933,558.27).

The portion of the Property that is used by AT&T is approximately 10 feet by 15 feet and is located along the fence dividing the CalTrans property for the 101 Freeway and the County park property (“Site”), also shown on Exhibit B of the attached Lease Agreement. AT&T has access to the Site through Rincon Park during normal operating hours, and in the case of emergency situations and equipment failures.

Approval of the Lease allowing AT&T Wireless to continue to lease, operate and maintain a telecommunications facility on the Property will involve negligible or no expansion of use. The new Lease will replace an existing lease that was originally granted in 1996, allowing AT&T to continue to lease, operate, and maintain the existing telecommunications facility. Therefore, 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, permitting, leasing, licensing, or minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.

Fiscal and Facilities Impacts:

Budgeted: Yes

Annual rent is budgeted into Fund: 0001 Dept: 052 LIAcct: 3409 Prog: 0301 Proj: SCPRIN

There will be no other fiscal or facilities impacts.

Special Instructions:

After Board action, please distribute as follows:

1. Duplicate Original Lease Agreement and Certified Copy to: General Services, Real Property Division.
2. Copy of the Minute Order: General Services Real Property Division

Attachments:

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