



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 15, 2020
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

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: **Temporarily Authorize General Services Director to Execute COVID-19 Related Real Estate Transactions – All Districts**

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) Temporarily delegate 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 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 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
 - 2) The County Executive Officer and County Counsel concur; and
 - 3) The contractual agreements are subject to approval by the County Board of Supervisors; 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 temporarily authorize the General Services Director to enter into non-binding letters of intent to engage in Real Property transactions. The recommended actions will aid the County to address the COVID-19 pandemic in a more expeditious manner in what has become 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. Since that time, as more state and federal funding has become available, the County has entered into various Real Property agreements that have required a protracted Debt Advisory Committee (for certain leases) and Board approval process. The process of obtaining Board approval for the purchase or lease of real property above the General Services Director's currently authorized limit has been a time-consuming effort and has prevented the County from successfully responding in a competitive and timely manner, as is currently required in the active regional real estate market. It is essential the County take an aggressive approach with these types of transactions in order to submit serious offers for acquisition and leasehold purposes for those properties which meet various County departmental and financial criteria. The ever-changing demands of the COVID-19 response requires the County to act swiftly for such purposes as providing alternate care sites, non-congregate sheltering sites, housing, vaccination POD sites and other real property agreements.

Due to the current shortage of qualified inventory and market demands for commercial, office and residential real estate in Santa Barbara, a prolonged or extended approach to beginning such acquisitions limits 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 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: Yes