

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

**IN THE MATTER OF INTENTION TO RESOLUTION NO. _____
DECLARE THE DISPOSAL OF THE REAL
PROPERTY LOCATED AT
117 E. CARRILLO ST., SANTA
BARBARA CALIFORNIA, 93101
AS EXEMPT SURPLUS PROPERTY
GOVERNMENT CODE SECTION 54221(f)(1)(A)**

WHEREAS, the Surplus Land Act (Government Code sections 54220–54234) establishes requirements that apply when a local agency disposes of “surplus land,” including notice and negotiation requirements administered by the California Department of Housing and Community Development (HCD); and

WHEREAS, Government Code section 54221 provides that “surplus land” means land owned in fee simple by a local agency for which the local agency’s governing body takes formal action in a regular public meeting declaring the land is surplus and not necessary for the agency’s use; and further provides that land shall be declared either “surplus land” or “exempt surplus land,” as supported by written findings, before a local agency may take any action to dispose of it; and

WHEREAS, Government Code section 54221(c)(1) provides that “agency’s use” includes land that is being used, or planned to be used pursuant to a written plan adopted by the local agency’s governing board, for agency work or operations; and

WHEREAS, Government Code section 54221(d)(1)(B) provides that “dispose” includes entering into a lease of surplus land for a term longer than 15 years, inclusive of any extension or renewal options included in the terms of the initial lease, entered into on or after January 1, 2024; and

WHEREAS, Government Code section 54221(f)(1)(A) provides that a disposal for the following purpose is exempt surplus land: Surplus land that is to be developed for a housing development, which may have ancillary commercial ground floor uses, that restricts 100 percent of the residential units to persons and families of low or moderate income, with at least 75 percent of the residential units restricted to lower income households, as defined in Section 50079.5 of the Health and Safety Code, with an affordable sales price or an affordable rent, as defined in Section 50052.5 or 50053 of the Health and Safety Code, for 55 years for rental housing, 45 years for ownership housing, and 50 years for rental or ownership housing located on tribal trust lands, unless a local ordinance or a federal, state, or local grant, tax credit, or other project financing requires a longer period of affordability, and in no event shall the maximum affordable sales price or rent level be higher than 20 percent below the median market rents or sales prices for the neighborhood in which the site is located.

WHEREAS, The Santa Barbara County Board of Supervisors (the “County” or “Board”) is the owner of certain property located at 117 East Carrillo Street/ APN 029-211-025 (the “Site” or “Project”) in the City of Santa Barbara, California. The Property is currently used as a County

Probation Department headquarters, which will be replaced with a newly constructed Probation headquarters at a different location; and

WHEREAS, in support of its various missions, the County seeks to enhance recruitment and retainment of its public sector staff, and seeks to utilize the Property towards this end; and

WHEREAS, in furtherance of these efforts, the County intends to explore opportunities to develop its real property, including the Property, by partnering with private developers and/or other public agencies to provide work force housing or other community housing for those of varying income levels and enter into a ground lease is residential housing development; and

WHEREAS, any such partnering efforts would be through a thorough, transparent and legally permitted process; and

WHEREAS, the COUNTY intends to dispose of the Property by entering into a long-term ground lease for the development of residential housing; and

WHEREAS, the terms of such lease will require that at least 25 percent of the total number of residential units will be affordable to lower income households, as defined in Health and Safety Code section 50079.5. The affordable units will be subject to a recorded affordability covenant or restriction for at least 55 years for rental housing or 45 years for ownership housing; and

WHEREAS, under Government Code section 25549.9, the Board shall specify the intended use of that portion of the building that is to be occupied by the County. The County intends to occupy and use a portion of the Property developed for joint occupancy for workforce housing; and

WHEREAS, the Board has determined that it is in the best interests of the Board to seek proposals to enter into agreements to develop the Property for joint occupancy.

WHEREAS, the Board Authorizes staff to take actions consistent with that exemption, including negotiating or entering into a lease or development agreement, subject to subsequent Board approvals as required

NOW, THEREFORE, IT IS HEREBY ORDERED AND RESOLVED

1. The foregoing recitals are adopted as true and correct.
2. RFP authorization is not a disposal. The Board finds that the issuance of an RFP and receipt/evaluation of proposals do not constitute a sale, transfer, or lease of the Site and therefore do not constitute a “disposal” of land for purposes of Government Code section 54221(d). This action does not declare the Site surplus or exempt surplus land and does not authorize any lease or transfer of a property interest.
3. The Board acknowledges the County’s current intent that the project include a defined portion of improvements to be occupied and used by the County for County work or operations (for example, workforce housing supporting recruitment and retention and/or other County program space). The Board further directs staff that, prior to bringing back any action for selection of a developer and approval of any binding development documents (including any exclusive negotiating agreement, lease, or ground lease), staff shall return to the Board with a written plan and findings sufficient to support an “agency’s

use” determination under Government Code section 54221(c)(1), if that remains the intended structure.

4. The County intends to proceed with a long-term lease. Because a lease of surplus land longer than 15 years (including extension/renewal options) entered into on or after January 1, 2024 is treated as a “disposal” under Government Code section 54221(d)(1)(B), the Board directs that no long-term lease, ground lease, or other disposition shall be presented for Board approval unless accompanied by one of the following:
 - a. (a) A determination supported by written findings that the Site is not surplus because it remains necessary for the County’s use (agency use), including adoption of the written plan described in Section 2; or
 - b. (b) If staff determines the Site (or any portion) is surplus, a recommendation and Board action declaring the property “surplus land” or “exempt surplus land,” supported by written findings, and compliance with the applicable Surplus Land Act requirements, including HCD notice and Notice of Availability if required.
5. The Board determines that the Site (or any portion) is exempt surplus land under Government Code section 54221(f)(1)(A) as the Site shall be developed for affordable housing meeting the requirements of Government Code section 54221(f)(1)(A).
6. Any selection of a proposer, approval of an exclusive negotiating agreement, term sheet, ground lease, or final development agreement shall be subject to subsequent Board action and compliance with all applicable laws, including CEQA and, if applicable, the Surplus Land Act.
7. Effective date. This Resolution shall take effect immediately upon adoption.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County Santa Barbara, State of California, on this **5th** day of **May**, 2026 by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: _____
Bob Nelson, Chair
Board of Supervisors

By: _____
Deputy Clerk

APPROVED AS TO FORM:
RACHEL VAN MULLEM
COUNTY COUNSEL

Signed by:
By: Tyler Sprague
Deputy County Counsel
Tyler Sprague