



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: March 13, 2018
Placement: Administrative
Estimated Time: N/A
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: Santa Barbara Bowl Foundation Montecito Community Benefit Concerts, Santa Barbara; First District (R/P File No.: 001076)

County Counsel Concurrence

As to form: Yes

Other Concurrence:

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) Consider and approve a one-time waiver of the annual thirty-seven (37) commercial event maximum performances pursuant to the Amended and Restated Management and Lease Agreement between the County of Santa Barbara and the Santa Barbara Bowl Foundation, to allow for up to four additional events to host Montecito relief effort benefit concerts supporting Thomas Fire and Flood recovery; and
- b) Find that pursuant to the California Environmental Quality Act ("CEQA") Guidelines, Section 15162, no substantial changes are proposed which will require major revisions to the prior negative declaration; no substantial changes to the project have occurred with respect to the circumstances under which the project is undertaken; and no new information of substantial importance has come to light regarding environmental effects of the project or of the sufficiency of mitigation measures, and therefore the proposed actions are within the scope of the Mitigated Negative Declaration ("MND") (Case No. 95-ND-29), adopted by the Board on November 28, 1995, and no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this project.

Summary Text:

This item is being brought to the Board of Supervisors to consider a one-time waiver of the annual 37 Commercial Event maximum, pursuant to the May 11, 2011 Amended and Restated Management and Lease Agreement (Lease Agreement) between the County and the Santa Barbara Bowl Foundation (Bowl Foundation), to allow for up to four additional events to host Montecito Relief Effort Benefit Concerts. All participating artists and the Bowl Foundation have pledged to donate One-Hundred Percent (100%) of the net proceeds to the Thomas Fire and Flood Event Relief and Recovery Effort. Funds derived from the benefit concerts will be distributed among several local non-profit organizations.

Background/ Analysis:

The Santa Barbara Bowl is a world-class 4,562 seat entertainment, culture and arts venue located at 1122 N. Milpas Street in Santa Barbara. Originally constructed in 1936 as a Works Progress Administration (WPA) project. The Santa Barbara Bowl is a County owned property that has been managed and operated under the direction of the Santa Barbara Bowl Foundation since June 1994. The most recent Lease Agreement was executed in May 11, 2011.

The Bowl Foundation is committed to creating and maintaining partnerships that promote the public's appreciation and access to cultural arts in the Santa Barbara community through programs such as Education Outreach, the Bowl Foundation Arts Subsidy, The Instrument Fund, as well as through community events at the Bowl. In addition, the Bowl has a long history of staging benefit concerts to help support wide range of not for profit activities.

Section 7B, *Performances* of the 2011 Lease Agreement details the number of events allowed per season. Pursuant to that Section, the Bowl Foundation is allowed to stage a maximum of 37 annual commercial events. Revenue derived from these events fund ongoing operations at the Bowl including capital improvements, staffing and security.

In the aftermath of the Thomas Fire and Flood events, the Bowl Foundation was approached by recording artist Jack Johnson about staging a benefit concert at the Santa Barbara Bowl to help support an array of recovery efforts related to those tragic events. A show has been scheduled for Sunday, March 18, 2018 and tickets have already been sold out. In addition, the Bowl is close to confirming with a few other artists about hosting similar shows; the details of which are still being finalized. All participating artists have pledged to donate 100% of the net proceeds to various local non-profits participating in the Thomas Fire and Flood relief and recovery effort. Local non-profits working on relief and recovery efforts are identified on the Benefit Concert Flyer included herein as Attachment A.

The Bowl Foundation is seeking to also donate 100% of the Bowl net proceeds from the four proposed Community Benefit Concerts to the Thomas Fire and Flood relief and recovery effort. To help facilitate this, the Bowl Foundation is requesting that the Board of Supervisors not include up to four relief and recovery benefit concerts as a part of the 37 annual event cap identified in the Lease Agreement. This will allow the Bowl Foundation to donate the net proceeds from the proposed benefit concerts to the relief and recovery effort while maintaining the 37 events allowed for under the lease agreement. This contribution would be in addition to those pledged for by the performing artists.

CEQA Review: A Negative Declaration (95-ND-29) had been adopted for the County Bowl Master Plan, and is included as Attachment B to this report. The potential environmental impacts of County Bowl

Master Plan were evaluated in 95-ND-29 and mitigation measures for these impacts were incorporated into the Lease Agreement for the County Bowl Master Plan.

CEQA Section 15162 allows the use of a previously adopted EIR or ND unless substantial evidence would require major revisions of the previous EIR or ND due to substantial changes in the proposed project because of: 1) new significant environmental effects or a substantial increase in the severity of previously identified significant effects; 2) substantial changes to the circumstances under which the project is undertaken due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or 3) new information of substantial importance. Section 15162 of the State CEQA Guidelines is found to be applicable to the temporary (for 2018) increase in the number of events from 37 to 41 to allow for up to four benefit concerts for the Thomas Fire and Flood event, as no new significant environmental effects would occur, previously identified environmental effects will not increase in severity, and no new information of substantial importance will require revisions to the previously approved ND.

95-ND-29 evaluated the potentially significant long and short-term impacts of development of the subject parcel. The majority of the analysis focused on the physical improvements to the County Bowl. The impact analysis for noise and transportation relative to parking specifically addressed the ongoing operations of the County Bowl. For the construction related and operational impacts, the ND found that all of these potential impacts were subject to feasible mitigation. Mitigation measures for operational concerns included parking improvements and noise mitigation. These measures are in place and are maintained through the lease agreement which would adequately address potential environmental impacts. No impacts previously found to be insignificant are now significant. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15162, preparation of a new Environmental Impact Report or Negative Declaration is not required.

Fiscal and Facilities Impacts:

N/A

Special Instructions:

After Board action, please distribute the Minute Order to General Services, Attn: A. Kinsella

Attachments:

1. Attachment A: Benefit Concert Flyer, Jack Johnson and Friends, A Benefit for the Community, Supporting Thomas Fire and Flood Recovery.
2. Attachment B: 95-ND-29 for the County Bowl Renovation and Operations.