

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: June 19, 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
Michael W. Dyer, Project Manager, Office of Emergency
Management (805) 681-5526

SUBJECT: Santa Cruz Island Communication Site License Agreement, 2nd District
(R/P File No.: 003772)

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Manager

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute, in duplicate, the attached License Agreement between The Nature Conservancy (TNC) and the County of Santa Barbara (COUNTY) allowing COUNTY to use, operate, repair, maintain and upgrade an existing communication facility in the Valley Peak area of Santa Cruz Island and to oversee the use, operations, installation and maintenance of the facility by public service agencies to: 1) facilitate the enhancement of communications for federal, state and local emergency response and public safety services to the Goleta, Santa Barbara and Carpinteria coastal areas and surrounding waterways, or 2) expand educational webcams and interactive programs from the island for the public and students; and
- b) Approve and authorize the Director of General Services to execute on behalf of the Board of Supervisors the Sublicense Agreements (attached as Exhibit "D" to the License Agreement) between the County and interested public service agencies that will allow the sublicensees to use the communication facility for an initial term of five years with up to five automatically renewed five-year terms in exchange for sharing the related ongoing costs, or providing in lieu consideration(s), and responsibilities associated with maintenance and repair; and

- c) Determine that the proposed action of approving a License Agreement for use of an existing facility on Santa Cruz Island is categorically exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301, *EXISTING FACILITIES*, finding that the action consists of leasing of existing facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination and direct staff to file and post the attached Notice of Exemption on that basis.

Summary Text:

This item is on the agenda due to the recommended actions requiring the Board of Supervisor's approval of a license agreement that will allow COUNTY to use, operate, repair, maintain, and do upgrades to an existing communication facility owned by TNC on a portion of Santa Cruz Island known as Valley Peak, and to approve and authorize the Director of the General Services Department to execute Sublicense Agreements with public service agencies. Under the terms of the Sublicense Agreements, the Director of the General Services Department would be authorized to approve amendments related to the intended purposes of the project (i.e., reassignment of space, equipment changes, and changes in related costs to the sublicensees).

Background:

The Office of Emergency Management and the General Services Department, Information and Communication Technology Division began discussions with TNC regarding the COUNTY'S use of the existing TNC communication facility at Valley Peak to enhance the communication capabilities for emergency response and public safety services in the Goleta, Santa Barbara, Carpinteria and Ventura County coastal areas. A project team consisting of County OEM and Communication Divisions, TNC, National Park Service, as well as county/city law enforcement and fire service agencies formed and have been meeting monthly to share ideas and discuss project details and funding. The Office of Emergency Management is managing the project. The License Agreement grants the COUNTY the ability to sublicense space within the facility to other local first responder agencies as well as to the National Park Service (NPS) who owns the remaining portion of Santa Cruz Island. Any amendments to the License Agreement will be brought to the Board of Supervisors for approval.

The project will greatly improve routine and emergency communications along the south coast of Santa Barbara and northern Ventura County. During the recent Whittier and Thomas Fires, a temporary radio repeater was placed on the Valley Peak site and was used by Incident Command Teams and first responders with great success. The National Park Service's equipment installation at the site will provide support for their internet and phone services for public and park safety and business purposes, and will extend/augment communication and educational applications on the island.

Complete funding for the project is being provided by the Homeland Security Grant Program.

A copy of the template for the sublicense agreements is attached as Exhibit "D" to this License Agreement and has been reviewed and approved by TNC's legal department as to form. Granting the Director of the General Services Department the authority to execute the Sublicense Agreements and any amendments on behalf of the Board will ensure the day-to-day management of the facility by timely assignment and reassignment of space within the facility, maintenance responsibilities, changes in equipment, and receipt and reallocation of costs for each sublicensee. Each sublicensee will be responsible for a share of the ongoing costs associated with regular maintenance of the facility and will have responsibility for the

installation, replacement and regular maintenance of their respective equipment at their sole expense. Besides Santa Barbara County Sheriff and Fire Protection District, other public service agencies currently interested in participating in this project are: Montecito Fire Protection District, U.S. Forest Service, Santa Barbara City Fire and Police Departments and the National Park Service.

The project has been approved by the Planning Commission for 65402(b) compliance. Additionally, a CEQA EXEMPTION and a Minor Conditional Use Permit (17CUP-00000-00011) have been obtained for the upgrades of the site's equipment that will include modification of the existing shelter, replacement of the solar panels, generator and tower, and new HVAC unit. The new equipment shelter, tower, and dish antenna covers will be painted grey to match the island's predominantly foggy skyline. Additional noteworthy project issues are: no new lighting on the tower; incorporation of biological protection measures; no removal of vegetation or trees and no grading.

Besides receiving county environmental approval, the project received a permit waiver from the California Coastal Commission on December 12, 2017. FEMA has also approved the project through the Environmental and Historic Preservation (EHP) screening process.

Fiscal and Facilities Impacts:

No one time costs are associated with the License Agreement. Costs associated with the upgrades to the communications facility are completely funded by the Homeland Security Grant Program 2015, 2016, 2017 grants totaling \$878,801. The County will receive reimbursement up to \$20,514 for upfront costs provided by County for engineering and technical services to provide special assessments for installation of the new NPS Dish on the new tower through an agreement between TNC and NPS signed on September 20, 2017.

Special Instructions:

After Board action, please distribute as follows:

1. Duplicate original, fully-executed License Agreement and Minute Order to C. Smith, General Service/Real Property Division
2. Copy of fully-executed License Agreement and Minute Order to M. Dyer, Office of Emergency Management
3. The Clerk has been requested to post the Notice of Exemption for a period of 30 days in a public place.

Attachments:

1. License Agreement (2)
2. CEQA-Notice of Exemption