



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: Community Services
Department No.: 057
For Agenda Of: May 11, 2021
Placement: Administrative
Estimated Tme: NA
Continued Item: No
If Yes, date from:
Vote Required: 4/5

TO: Board of Supervisors
FROM: Community Services George Chapjian, Director (805) 568-2467
Contact Info: Jeff Lindgren, Parks Superintendent (805) 568-2475

SUBJECT: Waller Park Pony Rides Concession Agreement, Fourth District

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair of the Board to execute the original and duplicate original Concession Agreement between the County of Santa Barbara (County) and Party Ponies (Concessioner), to allow Concessioner to operate Pony Rides at Waller Park for a term of five (5) years, with one option to extend the term for an additional five (5) years. Concessioner will pay to County a special use fee (Fee) of Five Percent (5%) of Concessioners gross monthly income; and
- b) Authorize the Director of the Community Services Department to exercise an option to extend the term of the Concession Agreement for an additional five (5) years, provided that the Concessioner is not in default under the terms of the Concession Agreement; and
- c) Find that the recommended actions are exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines section 15301 as the actions consist of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public structures, facilities and/or equipment that involves negligible or no expansion of existing or former uses; and pursuant to CEQA guidelines section 15323 as the actions consist of normal operations of an existing facility for public gatherings for which the facility was designed, where there is a past history of the facility being used for the same purpose, and where a change in the operation of the facility is not reasonably expected.

Summary Text:

This item is on the agenda so the Board may consider authorizing the Chair of the Board to execute a Concession Agreement with the Concessioner to allow Concessioner to operate, manage, maintain and improve the Waller Park Pony Rides for a term of five (5) years, with an additional option to extend the term for five (5) years. Concessionaire will pay County a Fee of Five Percent (5%) of monthly income.

Background:

The County of Santa Barbara has had a Pony Concessionaire operating Pony Rides at Waller Park going back decades. However, the most recent concessionaire terminated their agreement on October 9, 2019. Recently, CSD Parks Staff has received interest from external parties to operate the Pony Ride concession area at Waller Park.

Staff posted a Request for Proposals (RFP) in the Santa Maria Times, and on our County Parks website from April 7th to April 19th and received one responsible respondent. The selected responsible respondent has over two decades of relevant experience in Pony Rides, serving the Santa Maria Community.

Staff, the Respondent, and the Friends of Waller Park have worked collaboratively to re-store the beloved family activity for the local Community.

CEQA:

The proposed administrative actions do not constitute a project within the meaning of the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301 and 14 CCR 15323. CEQA guidelines, Section 15301 consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration 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. CEQA Guidelines Section 15323 consists of the normal operations of existing facilities for public gatherings for which the facilities were designed, where there is a past history of the facility being used for the same or similar kind of purpose. For the purposes of this section, "past history" shall mean that the same or similar kind of activity has been occurring for at least three years and that there is a reasonable expectation that the future occurrence of the activity would not represent a change in the operation of the facility. All of the activities are consistent with past historic activities and involve no expansion of an such use and therefore, the categorical exemption stated above is applicable for the proposed action and satisfies the requirements of CEQA.

Fiscal and Facilities Impacts:

The re-opening of Waller Park Pony Rides falls under the Community Services Departments Renew 2022 plan for financial and organizational resiliency. Parks staff continually seeks to responsibly monetize its assets to increase revenues and mitigate impacts to the General Fund, while providing an exceptional experience to park visitors. Conservative initial estimates of revenues are \$500 annually.

Staffing Impacts:

None

Attachments

1. Original and Duplicate Original Concession Agreement

Special Instructions: After Board action, please distribute as follows:

1. Original Concession Agreement: Clerk of the Board Files
2. Duplicate Original Concession Agreement and copy of Minute Order: Community Services Department
3. Copy of Concession Agreement and copy Minute Order: Community Services Department, Parks