



**SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT  
FOR THE  
SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS**

**THIS SECOND AMENDED AND RESTATED JOINT POWERS AGREEMENT** (“Agreement”) is made by and among the incorporated cities of Buellton, Carpinteria, Goleta, Guadalupe, Lompoc, Santa Barbara, Santa Maria, and Solvang, all being municipal corporations of the State of California within the County of Santa Barbara; and, the County of Santa Barbara, a body politic and corporate and subdivision of the State of California, as follows:

**WHEREAS**, Sections 6500 et seq. of the California Government Code (Title 1, Division 7, Chapter 5, Article 1), provides for agreements between two or more public agencies to jointly exercise any power common to the contracting parties; and

**WHEREAS**, in 1966, the County of Santa Barbara, and the Cities of Santa Barbara, Santa Maria, Lompoc, Carpinteria, and Guadalupe established the Santa Barbara County and Cities Area Planning Council through an initial Joint Powers Agreement; and

**WHEREAS**, beginning in 1990, the member agencies of the Santa Barbara County and Cities Area Planning Council executed an amendment to the initial Joint Powers Agreement to rebrand the agency as the Santa Barbara County Association of Governments which is considered the first amendment to the initial Joint Powers Agreement; and

**WHEREAS**, through the following resolutions each governing body entered into the first amended Joint Powers Agreement approved in 1990 and replaced by this Second Amended and Restated Joint Powers Agreement:

1. By the City of Buellton, Council Resolution R92-44, on February 27, 1992;

2. By the City of Carpinteria, Council Resolution 1937, on July 23, 1990;
3. By the City of Goleta, Council Resolution 02-32, on February 1, 2002;
4. By the City of Guadalupe, Council Resolution 90-933, on August 27, 1990;
5. By the City of Lompoc, Council Resolution 3994(90), on September 18, 1990;
6. By the City of Santa Barbara, Council Resolution 90-163, on October 2, 1990;
7. By the City of Santa Maria, Council Resolution 90-104, on August 7, 1990;
8. By the City of Solvang, Council Resolution 90-173, on August 13, 1990; and
9. By the County of Santa Barbara, Board Resolution 90-744, on July 24, 1990.

**WHEREAS**, the City of Santa Barbara by virtue of its charter, and the other incorporated cities and the county, parties hereto have the joint and mutual powers, to address regional planning and program concerns, pursuant to various sections of the California Government Code; to designate an appropriate body to assume the planning responsibilities of an airport land use commission pursuant to Section 21670.1 of the California Public Utilities Code; to participate in regional planning within the meaning of title 42 of the United States Code (U.S.C.) section 3334; to designate a representative organization as the metropolitan planning organization pursuant to title 23 of the U.S.C. section 134(b); and to designate an appropriate body to assume the responsibilities for facilitating regional broadband internet access service or related telecommunications services consistent with, but not limited to, California Senate Bill 156 (2021) (excluding broadband and telecommunication permitting to which each incorporated city and the county shall retain its jurisdictional responsibility); and

**WHEREAS**, prior to 1990, a joint powers agency known as the Santa Barbara County and Cities Area Planning Council had been designated as the Local Transportation Authority for Santa Barbara County pursuant to California Public Utilities Code section 180000 et seq., and as the transportation planning agency pursuant to California Government Code section 29532; and

**WHEREAS**, prior to 1990, the parties hereto recognized that the County of Santa Barbara with its included incorporated cities had been designated by the Bureau of the Census as

a standard metropolitan area, and was changing from a rural to an urban area with continuing expansion of its incorporated cities and development of the formerly undeveloped areas; and

**WHEREAS**, all parties to said joint powers agency wish to reapprove, ratify, and include all of said functions, powers and designations in said agency and approve and give effect to the resolution adopted by said joint powers agency for it to continue to be known hereafter as the Santa Barbara County Association of Governments.

**NOW, THEREFORE**, it is agreed as follows:

1. The Santa Barbara County and Cities Area Planning Council that existed prior to 1990 consisting of the five members of the Board of Supervisors of the County of Santa Barbara from time to time in office and of one additional member from each incorporated city within the boundaries of the County of Santa Barbara which is a party to this agreement, shall continue to be known and designated hereafter as the Santa Barbara County Association of Governments and is ratified, confirmed and continued to exercise the powers and fulfill the responsibilities referred to above and by any and all past action, assignment, designation and commitment as has heretofore been conferred upon said Santa Barbara County and Cities Area Planning Council in all aspects of its function and under all designations that it has been subject to. Duly elected members of the State Legislature representing Santa Barbara County shall continue *ex officio* status with said agency. The representatives from each city may be the mayor or any member of the City Council and shall serve so long as he or she shall hold office or until resignation or removal by majority vote of the City Council represented. Vacancies among representatives from the incorporated cities shall be filled in the same manner as the first appointment. County Supervisors shall serve so long as he or she shall hold office.
2. The Santa Barbara County Association of Governments shall serve as a transportation planning agency pursuant to Section 29532 of the Government Code;

as the Transportation authority pursuant to California Public Utilities Code section 180000 et seq.; as the metropolitan planning organization responsible for carrying out the provisions of title 23 of the U.S.C. section 134; as the airport land use commission pursuant to Section 21670.1 of the Public Utilities Code; as a metropolitan clearinghouse pursuant to Section 204 of Public Law 89-754 (42 U.S.C. § 3334); and, as the local agency responsible for facilitating regional broadband internet access service or related telecommunications services consistent with, but not limited to, California Senate Bill 156 (2021) (excluding broadband and telecommunication permitting to which each incorporated city and the county shall retain its jurisdictional responsibility). The Santa Barbara County Association of Governments may by resolution consent to serve as lead planning organization for air quality pursuant to Section 174 of Public Law 95-95 (42 U.S.C. § 7504) in the event the Board of Supervisors of Santa Barbara County relinquishes its designation as lead planning organization.

3. In addition to the incorporated cities mentioned in this Agreement, any other city which may hereafter be incorporated within the boundaries of the County of Santa Barbara and which may desire to participate in the activities of this Santa Barbara County Association of Governments may do so by executing this Agreement without prior approval or ratification of the named parties to this Agreement and shall thereafter be bound by all of the terms and provisions of this Agreement as of the date of execution.
4. The time, place and dates of regular meetings, the method of calling special meetings, the election of such officers and the employment of such personnel as are deemed necessary and appropriate, arrangements for financing, and rules of procedures all be as provided in Bylaws adopted by the Santa Barbara County Association of Governments, or in the absence of Bylaws by majority vote of the governing board of said agency. In any event, regular meetings shall be held not less often than quarterly.

5. Officers and employees, including an Executive Director shall be employed by the Council, as provided in the Ordinances adopted by said Transportation Authority.
6. The Santa Barbara County Treasurer shall be the depository and have custody of all the money of the Santa Barbara County Association of Governments.
7. The undersigned parties to this Agreement pledge full cooperation and agree to assign representatives to serve as official members of this organization or any committee or subcommittee.
8. This Agreement shall take effect upon its execution by the Chairmen and Clerks of the legislative bodies of all of the parties authorized pursuant to resolutions of such legislative bodies authorizing such execution as indicated below.
9. The Santa Barbara County Association of Governments shall have the powers provided by the acts, ordinances and designations referred to above, and such powers as are necessary to enable it to fulfill and carry out its functions as described herein, including, but not by way of limitation, the following powers:
  - a. to make and enter into contracts;
  - b. to apply for and accept grants, advances, and contributions from any source including member Jurisdictions;
  - c. to employ or contract for the services of agents, employees, consultants and such other persons or firms as it deems necessary;
  - d. to make plans and conduct studies;
  - e. to sue and be sued in its own name;
  - f. to incur debts, liabilities, or obligations, subject to the limitations herein set forth; and
  - g. to adopt annually a budget setting forth all administrative, operational and capital expenses.

10. Nothing herein shall be construed as limiting in any manner the power of any of the respective parties to initiate and complete a local project within their respective jurisdictions with their own funds. It is understood, however, that the recommendations of the agency may have the effect of precluding any favorable action by an agency of the state or federal governments in support of such a project if other than local financing is sought, as determined by the respective state or federal agency under laws, regulations and policies applicable to them.

11. This Agreement shall be effective for a period of five years but shall be deemed automatically renewed by each party hereto for additional five-year periods unless a notice of non-renewal adopted by resolution of the governing body of such a party is given to the Santa Barbara County Association of Governments.

12. If any one or more of the provisions contained herein shall for any reason be held to be invalid, illegal, or unenforceable in any respect, then such provision or provisions shall be deemed severable from the remaining provisions hereof, and such invalidity, illegality, or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

13. This Agreement may be executed in any number of counterparts and each of such counterparts shall for all purposes be deemed to be an original; and all such counterparts, or as many of them as the parties shall preserve undestroyed, shall together constitute one and the same instrument.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective on the date when fully executed by all parties.

*[Signatures on following pages.]*



**CITY OF BUELLTON**

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Dave King  
Mayor

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Date:

ATTEST:  
Scott Wolfe  
City Manager

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APPROVED AS TO FORM:  
Greg Murphy  
City Attorney



**CITY OF CARPINTERIA**

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Al Clark  
Mayor

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Date:

ATTEST:  
Michael Ramirez  
City Manager

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APPROVED AS TO FORM:  
Jena Shoaf Acos  
City Attorney



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Paula Perotte  
Mayor

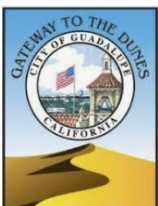
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Date:

ATTEST:  
Robert Nisbet  
City Manager

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APPROVED AS TO FORM:  
Megan Garibaldi  
City Attorney



**CITY OF GUADALUPE**

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Ariston Julian  
Mayor

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Date:

ATTEST:  
Todd Bodem  
City Administrator

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APPROVED AS TO FORM:  
Philip F. Sinco  
City Attorney





**CITY OF LOMPOC**

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Jenelle Osborne  
Mayor

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Date:

ATTEST:  
Dean Albro  
City Manager

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APPROVED AS TO FORM:  
Jeff Malawy  
City Attorney



**CITY OF SANTA BARBARA**

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Paul Casey  
City Administrator

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Date:

ATTEST:  
Sarah Gorman  
City Clerk Services Manager

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APPROVED AS TO FORM:  
Ariel P. Calonne  
City Attorney

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Daniel S. Hentschke,  
Assistant City Attorney



**CITY OF SANTA MARIA**

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Alice Patino  
Mayor

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Date:

ATTEST:

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Sarah Gorman  
City Administrator

APPROVED AS TO FORM:  
Thomas T. Watson  
City Attorney

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Jeffrey Patrick  
Assistant City Attorney



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Mark Infanti  
Mayor

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Date:

ATTEST:  
Randy Murphy  
City Manager

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APPROVED AS TO FORM:  
Dave Fleishman  
City Attorney

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**COUNTY OF SANTA BARBARA**

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Steve Lavagnino  
Chair, Board of Supervisors

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Date:

ATTEST:  
Mona Miyasato  
County Executive Officer  
Clerk of the Board

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Deputy Clerk

APPROVED AS TO ACCOUNTING FORM:  
Betsy M. Schaffer, CPA  
Auditor-Controller

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Deputy

APPROVED AS TO FORM:  
Rachel Van Mullem  
County Counsel

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Deputy County Counsel

APPROVED AS TO FORM:  
Greg Milligan  
Risk Manager

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