



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** October 6, 2015

**TO:** Mayor and Councilmembers

**FROM:** Administration, Housing & Human Services Division,  
Community Development Department

**SUBJECT:** City Documents Related To Casa Esperanza Homeless Center/  
PATH Statutory Merger (816 Cacique Street)

**RECOMMENDATIONS:** That Council:

- A. Approve amending and restating the 1999 Restricted Use Covenant;
- B. Approve a Declaration of Restrictions Established by City of Santa Barbara Conditional Use Permit; and
- C. Authorize the Community Development Director to execute such agreements and related documents, subject to approval as to form by the City Attorney, as necessary.

### **BACKGROUND:**

On July 1, 2015, the statutory merger of Casa Esperanza Homeless Center (Casa) and PATH (People Assisting the Homeless) was finalized; however, transfer of the real property (816 Cacique Street) from Casa to PATH is still in process. In lieu of a grant deed, the statutory method of transferring real property according to the Corporations Code is to record a Secretary of State-certified copy of the merger filing. Following that process, the City will record the documents described below to ensure that current use restrictions are continued.

### **DISCUSSION:**

The "Restricted Use Covenant Imposed on Real Property for Operation of a Homeless Shelter and Related Services" (Recorded 8/17/99 as 1999-0064812) has been amended and restated to incorporate current use restrictions. Upon Council action today, this document will be executed by the City, the County of Santa Barbara, and PATH. This document will be recorded with the Office of the County Recorder.

A second document entitled "Declaration of Restrictions Established by City of Santa Barbara Conditional Use Permit Resolution No. 008-09" will also be recorded with the

Office of the County Recorder to make a matter of record the conditional use restrictions imposed by City of Santa Barbara Planning Commission.

**BUDGET/FINANCIAL INFORMATION:**

These agreements will have no financial impact.

**PREPARED BY:** Deirdre Randolph, Community Development Programs Supervisor  
(SG)

**SUBMITTED BY:** George Buell, Community Development Director

**APPROVED BY:** City Administrators Office