



Agenda Item No. _____

File Code No. 330.03

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 5, 2010

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Introduction Of Ordinance For Agreements For Joint Uses And Encroachments At Carrillo Recreation Center And Lobero Building

RECOMMENDATION:

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Approving and Authorizing the City Administrator to Execute Certain Agreements Acknowledging Ongoing Uses Between the Property Known as the Lobero Building at 924 Anacapa Street, Owned by The 924 Group, LLC, and the Property Known as the Carrillo Recreation Center at 100 East Carrillo Street, Owned by the City of Santa Barbara.

DISCUSSION:

The proposed Ordinance will authorize the City Administrator to approve and execute four agreements which acknowledge the existence of minor encroachments and to allow for the continuing joint use and maintenance of various improvements located between the Carrillo Recreation Center and the adjacent Lobero Building at 924 Anacapa Street, owned by The 924 Group, LLC (The 924 Group). The location of the joint use facilities and the slightly existing encroachments were disclosed by surveys performed by the City in connection with the design of the Carrillo Recreation Center Rehabilitation Project (Project).

Individual agreements are proposed as follows:

1. Agreement for Joint Use Walkway and Drainage
2. Agreement for Electrical Equipment
3. Agreement for Building Access Ramp
4. Agreement for Joint Use and Maintenance of Trash and Recycling Enclosure

The Agreement for Joint Use Walkway and Drainage will provide for ongoing joint use of the existing walkway, pavement area, and drainage facilities located on the Lobero Building property, adjacent to the Carrillo Recreation Center (approximately 1,004 square feet). The walkway and paved areas currently provide pedestrian access

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from Anacapa Street to the side doors of the Lobero Building and to the rear patio, doors, and stairways located on the Carrillo Recreation Center property. There are also drainage facilities in the paved area that collect surface storm waters for drainage to Anacapa Street from the Carrillo Recreation Center and the Lobero Building paved areas. Portions of the joint use paved areas will be replaced and upgraded with brick pavers and landscaping in connection with the Project.

The Agreement for Electrical Equipment will provide for continued use by the City of an existing electrical service cabinet that serves the Carrillo Recreation Center, a portion of which encroaches slightly onto a portion of the Lobero Building property (approximately 15 square feet). The electrical cabinet was likely misplaced in connection with a past City project, possibly without performing a survey to locate the property lines. The Agreement for Electrical Equipment will allow the City's continuing use and maintenance of the existing electrical cabinet in its current location until such time it may be removed to make way for other improvements in the area.

The Agreement for Building Access Ramp will provide for the Lobero Building's continued use of an access ramp required by the Americans with Disabilities Act (ADA), which encroaches slightly on a portion of the Carrillo Recreation Center (approximately 15 square feet). As required by ADA guidelines, the access ramp was constructed in connection with a past project by The 924 Group to rehabilitate its Lobero Building, apparently without performing a survey to locate the property line. Because the access ramp does not adversely impact the use of the Carrillo Recreation Center or the Project, and because it does not impede pedestrian access, the Agreement for Building Access Ramp is recommended to allow the slight encroachment until such time that the ramp must be altered or removed to make way for public improvements.

The Agreement for Joint Use and Maintenance of Trash and Recycling Enclosure will provide for joint use of trash and recycling depositories by the Carrillo Recreation Center property and the occupants of the Lobero Building. The existing joint use trash and recycling facilities are located on the Carrillo Recreation Center, and not within an enclosure. This proposed Agreement is similar to agreements prepared by the Downtown Parking Operations staff for the City's management of joint use trash and recycling facilities located on Downtown Parking Lot facilities.

The approximate locations of the affected areas are shown generally on the Attachment.

The ongoing joint uses and mutual benefits that will be acknowledged and permitted by the proposed agreements are compatible with and accessory to the purposes to which the Carrillo Recreation Center property is devoted by the City. In accordance with the City Charter Section 521, the proposed four agreements must be approved by an Ordinance that is adopted by Council.

BUDGET/FINANCIAL INFORMATION:

The Agreement for Joint Use Walkway and Drainage allows the City to enhance the joint use areas located on the Lobero Building property, the costs for which are nominal due to the scale of the Project. The future costs for City's maintenance of the upgraded patio, the walkway and the drainage facilities are also considered nominal.

There are no City costs anticipated in connection with the encroachments and uses allowed by the Agreement for Electrical Equipment and the Agreement for Building Access Ramp.

The Agreement for Joint Use and Maintenance of Trash and Recycling Enclosure provides for payment by The 924 Group of a monthly rental fee to the City, which is based on monthly rental rates established by Council Resolutions for the purpose of managing enclosures on City properties (currently \$40 per month as set forth in Resolution No. 10-044). The agreement also provides that The 924 Group must enter into an agreement with the City's assigned Waste Collector for this site, and pay its share of any costs for collection of refuse within the enclosure.

ATTACHMENT(S): Photo Vicinity Map

PREPARED BY: Pat Kelly, Assistant Public Works Director/City Engineer/DI/sk

SUBMITTED BY: Christine F. Andersen, Public Works Director

APPROVED BY: City Administrator's Office

