

ORDINANCE NO. \_\_\_\_\_

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

WHEREAS, surveys performed in connection with the project by the City to rehabilitate the facility known as the Carrillo Recreation Center (herein the "Carrillo Recreation Center"), located at 100 East Carrillo Street, have disclosed the existence of certain slight encroachments and joint uses between the Carrillo Recreation Center and the adjacent property known as the Lobero Building (herein the "Lobero Building"), located at 924 Anacapa Street, owned by The 924 Group, LLC, a California limited liability company;

WHEREAS, the improvements located on a portion of the Lobero Building property consist of a joint use walkway and drainage facilities that provide pedestrian public access and drainage between Anacapa Street and portions of the Carrillo Recreation Center and the Lobero Building;

WHEREAS, the improvements also include an existing electrical equipment cabinet that provides electrical service to the Carrillo Recreation Center, which encroaches slightly onto a portion of the Lobero Building property;

WHEREAS, the improvements also include an access ramp that provides reasonable access to the Lobero Building in accordance with the Americans with Disabilities Act (ADA), which encroaches slightly onto a portion of the Carrillo Recreation Center property;

WHEREAS, the facilities also include unenclosed trash and recycling depositories used jointly by the Carrillo Recreation Center and the Lobero Building;

WHEREAS, Charter Section 521 of the City requires certain agreements that bind the City for a longer period than five (5) years shall be approved by Ordinance; and

WHEREAS, this Ordinance upon its adoption by Council will provide authorization for the City Administrator to execute agreements with The 924 Group, LLC, a California limited liability company, consisting of an Agreement for Joint Use Walkway and Drainage, an Agreement for Electrical Equipment, an Agreement for Building an Access Ramp, and an Agreement for Joint Use and Maintenance of a Trash and Recycling Enclosure.

NOW THEREFORE, THE COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN AS FOLLOWS:

SECTION 1. That, following the effective date of this Ordinance, the Agreement for Joint Use Walkway and Drainage between the City of Santa Barbara and The 924 Group, LLC, a California limited liability company, which provides for the ongoing joint use and maintenance of pedestrian walkway and drainage facilities, is hereby approved, and the City Administrator is authorized to execute the agreement.

SECTION 2. That, following the effective date of this Ordinance, the Agreement for Electrical Equipment between the City of Santa Barbara and The 924 Group, LLC, a California limited liability company, which provides for the ongoing use and maintenance by the City of electrical facilities located on a portion of the Lobero Building property, is hereby approved, and the City Administrator is authorized to execute the agreement.

SECTION 3. That, following the effective date of this Ordinance, the Agreement for Building Access Ramp between the City of Santa Barbara and The 924 Group, LLC, a California limited liability company, which provides for the ongoing use and maintenance by The 924 Group, LLC of the building access ramp located on a portion of the Carrillo Recreation Center property, is hereby approved, and the City Administrator is authorized to execute the agreement.

SECTION 4. That, following the effective date of this Ordinance, the Agreement for Joint Use and Maintenance of Trash and Recycling Enclosure between the City of Santa Barbara and The 924 Group, LLC, a California limited liability company, which provides for the joint use and maintenance of the trash and recycling facilities located on a portion of the Carrillo Recreation Center property, is hereby approved, and the City Administrator is authorized to execute the agreement; and

SECTION 5. That, following the effective date of this Ordinance, the City Clerk is authorized to deliver such agreements to the County Recorder of Santa Barbara County, for their recordation in the Official Records of said County.