

RESOLUTION NO. 93-127

A RESOLUTION OF THE COUNCIL OF THE  
CITY OF SANTA BARBARA ESTABLISHING  
CERTAIN ADMINISTRATIVE POLICIES WITH  
RESPECT TO THE RENEGOTIATION AND  
RENEWAL OF CITY LEASES.

WHEREAS, the City of Santa Barbara has a responsibility and an obligation to maintain, manage and improve the real property to which the City is entrusted for the maximum possible public benefit and financial return; and

WHEREAS, in fulfilling this responsibility, the City may enter into leases and other related agreements with private citizens and businesses with respect to those portions of City real property that are not currently necessary for the operation of direct governmental services or are not required for other municipal purposes; and

WHEREAS, the City and tenants of the City under such leases have certain contractual rights and obligations as such rights and obligations are specifically and exclusively set forth in each lease and other related agreements; and

WHEREAS, this Resolution is not intended to modify any contractual obligations of the City nor is it intended to grant any rights or create any additional obligations beyond those stated in existing leases and other agreements with the City as approved by the City Council; and

WHEREAS, this Resolution is intended to state the intent of the City Council with respect to an administrative policy regarding the renegotiation and renewal of existing City leases and similar agreements with existing tenants in good standing under appropriate circumstances;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT:

1. It is the policy of the City of Santa Barbara to be an exemplary landlord in dealings with its tenants by doing the following: a. giving those City tenants who are in good standing a reasonable opportunity to discuss and negotiate the renewal of existing leases prior to their normal expiration; b. reviewing and considering unsolicited lease proposals; and, c. actively soliciting lease proposals from a wide spectrum of the local community for those City facilities and properties new to the market or without acceptable existing tenants.

2. In evaluating existing City tenants with respect to a possible lease renewal, the City shall consider the following:

a. The needs of the City and the goals of the particular City Department charged with managing the specific property under consideration;

b. The tenant's record with respect to the prompt and accurate payment of rent due the City;

c. The tenant's record of compliance with existing lease conditions;

d. The appropriateness of the proposed tenant business with respect to the total mix of uses and services available to the public and with respect to the goals of the City Department charged with managing the property in question;

e. The tenant's financial and personal investment in tenant business and the leasehold improvements;

f. The contribution to the surrounding business community made by the tenant's business.

g. The quality of direct services to the public provided by the tenant and its business.

h. The value received by the public for costs of goods or services.

i. The total financial return to City from the leasehold.

j. Other pertinent considerations as may be appropriate.

3. This policy does not necessarily apply to those tenants or potential tenants which provide, or will provide, those services, which in the determination of the City Administrator, are necessary for the proper and efficient operation of a City governmental building or facility, such as the City's Airport Terminal or Community Centers.

Adopted October 26, 1993