

**JOINT RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA,
ACTING IN ITS OWN CAPACITY AND EX OFFICIO AS THE BOARD OF DIRECTORS
OF THE
SANTA BARBARA COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT**

**A RESOLUTION TRANSFERRING OWNERSHIP) RESOLUTION NO. _____
OF THE NAOMI SCHWARTZ BUILDING TO)
PUBLIC WORKS FUNDS)**

WHEREAS, the Naomi Schwartz Building was constructed in 2004 at 130 East Victoria Street in the City of Santa Barbara (herein the "Building"); and

WHEREAS, the Building was originally planned to provide office space to the Clerk-Recorder-Assessor Department; and

WHEREAS, during the final planning, the Resource Recovery and Waste Management Division of Public Works (RRWM) Enterprise Fund agreed to pay for and occupy the bottom floor of the Building; and

WHEREAS, the Clerk-Recorder-Assessor paid for the balance of the Building and ultimately relocated to the Calle Real Campus; and

WHEREAS, the Santa Barbara County Flood Control & Water Conservation District (Flood Control District) has a legitimate business need for the space and occupying the space, will result in greater operational efficiency for the Flood Control District; and

WHEREAS, California Government Code Section 25365 authorizes a county Board of Supervisors to transfer interests in real property, not required for County use, to a special district upon agreed-upon terms and conditions, by a four fifths (4/5ths) vote;

WHEREAS, the Flood Control District requires office space for its employees and the proposed building is suitable for this purpose; and

WHEREAS, the Flood Control District is authorized to acquire lands, structures and buildings pursuant to California Water Code Appendix 74-5, subparagraph 4; and

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WHEREAS, as Special Revenue funds, the RRWM Enterprise Fund and the Flood Control District will have paid for the costs of the Building and as such will need to show the expenditure as an asset of the respective funds; and

WHEREAS, this action will transfer the Building costs from the General Fund to the Flood Control District, and this arrangement will create operational efficiencies for both the county and the flood control district and,

WHEREAS, the Flood Control District is also authorized to act in conjunction with the County of Santa Barbara and to make contracts with the County of Santa Barbara under California Water Code Appendix 74-5 subparagraph, 6 and California Water Code Appendix 74-5, subparagraph 13 respectively; and

WHEREAS, the California Water Appendix section 74-6 designates the Board of Supervisors of the County of Santa Barbara as Ex Officio the Board of Directors of the Flood Control District; and

WHEREAS, the California Code Appendix section 74-7 designates the Auditor of the County of Santa Barbara as the Ex Officio Auditor of the Flood Control District.

NOW, THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Santa Barbara, and the Board of Directors of the Flood Control and Water Conservation District are adopting this Joint Resolution in lieu of a Grant Deed as evidence that RRWM Enterprise Fund and the Flood Control District have purchased the Building, and be it further resolved that costs incurred by the RRWM Enterprise Fund and the Flood Control District shall be retained as an asset to each fund having incurred the costs of the Building pursuant to the following:

1. In 2004 the RRWM Division paid for 45% of the Building costs and has since occupied the first floor of the Building.
2. Pursuant to this resolution, the Flood Control District will have paid for 55% of the Building costs including repayment of past COP payments made by the Clerk-Recorder-Assessor and retirement of the remaining debt on the Building.
3. The Flood Control District shall not allow a non-governmental entity to use the Flood Control District's portion of the building.

PASSED, APPROVED, AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California and the Board of Directors of the Santa Barbara County Flood Control & Water Conservation District, State of California, on this _____ day of _____, 2011 by the following vote:

[Votes recorded, and required signatures appear, on following page]

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AYES:

NAYS:

ABSENT:

ABSTAIN:

ATTEST:

CHANDRA L. WALLAR
CLERK OF THE BOARD

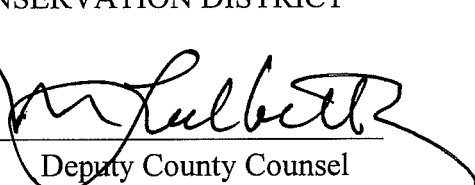
COUNTY OF SANTA BARBARA

By: _____
Deputy

By: _____
Joni Gray, Chair
Board of Supervisors and
Board of Directors of the Santa Barbara
County Flood Control & Water
Conservation District

APPROVED AS TO FORM:
DENNIS A. MARSHALL,
COUNTY COUNSEL FOR COUNTY
OF SANTA BARBARA AND
EX-OFFICIO COUNTY COUNSEL
SANTA BARBARA COUNTY FLOOD
CONTROL & WATER
CONSERVATION DISTRICT

APPROVED AS TO ACCOUNTING FORM:
ROBERT W. GEIS, CPA
AUDITOR CONTROLLER FOR COUNTY OF
SANTA BARBARA AND EX-OFFICIO AUDITOR
CONTROLLER FOR THE SANTA BARBARA
COUNTY FLOOD CONTROL & WATER
CONSERVATION DISTRICT

By: 
Deputy County Counsel

By: 
