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ON FILE IN THIS OFFICE

ATTEST: **OCT 20 2015**

VERONICA A. FERGUSON, Clerk/Secretary  
BY *V. Ferguson*  
DEPUTY CLERK/ASST SECRETARY

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Date: October 20, 2015

Item Number: 13  
Resolution Number: 15-0423

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4/5 Vote Required

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**Resolution Of The Board Of Directors Of The Sonoma County Water Agency, Amending Resolution 15-0307 to Reset the Bid Opening Date for the Sale of Real Property Located at 2150 West College Avenue (APN 010-320-029) (4/5 vote required).**

**Whereas**, pursuant to previous Resolution No. 14-0093, this Board declared that certain 7.46-acre property located at 2150 West College Avenue (Assessor's Parcel Number 010-320-029) (hereinafter the "Property"), as surplus and directed Sonoma County Water Agency staff to notify state and local agencies as to the availability of such surplus property for acquisition; and

**Whereas**, the Sonoma County Water Agency was unable to reach agreement on the terms and conditions for sale of the Property with any of the notified state and local agencies; and

**Whereas**, the Sonoma County Water Agency's enabling legislation specifies that property no longer needed may be disposed of in the manner specified for counties; and

**Whereas**, Government Code Section 25520 et seq. provides the legal process for disposing and selling property by counties; and

**Whereas**, on June 9, 2015 this Board adopted Resolution No. 15-0231 setting the bid time, date, location and minimum bid price for the Property; and

**Whereas**, on July 28, 2015, the Board adopted Resolution No. 15-0231 revising the bid time and date and clarifying procedures for the sale of the Property; and

**Whereas**, pursuant to Resolutions No. 15-0231 and 15-0307, the Sonoma County Water Agency notified the public of the Water Agency's intent to sell the Property and contracted with a local broker to market Property; and

**Whereas**, the Property has been occupied by individuals protesting local camping ordinances which has caused delay in marketing the Property; and

**Whereas,** Water Agency staff have recommended a further extension of the bid opening date so as to allow more time to market the Property and provide potential bidders with a better opportunity to inspect the Property prior to submitting a bid; and

**Whereas,** Water Agency staff have also recommended a change to the purchase agreement to ensure potential bidders that the property will be vacated by the protesters as a condition to closing.

**Now, Therefore, Be It Resolved** that the Board of Directors of the Sonoma County Water Agency hereby finds, determines, and declares as follows:

1. The above recitals are true and correct.
2. That it remains the intention of this Board to sell for cash said real property pursuant to the provisions of Government Code Section 25520 et seq. In accordance with Government Code, Section 25539, the Board hereby orders: (a) that the date and location of the bid opening shall be extended to December 4, 2015, 10:00 a.m. at the Sonoma County Water Agency's Administrative Offices located at 404 Aviation Boulevard, Santa Rosa, CA 95403, and (b) that the Assistant General Manager is hereby authorized and directed to act on behalf of the Board of Directors to open sealed bids, receive oral bids and submit the successful bid to the Board within 10 days of the December 4, 2015 bid opening for the Board's final acceptance and execution of the Purchase Agreement.
3. That the Property shall be sold in accordance with the terms and conditions of the bid packet on file with the clerk of the Board, which packet includes a revised purchase agreement in accordance with staff's recommendations.
4. All other terms and conditions of Resolution No. 15-0307 shall be in full force and effect.

**Directors:**

Rabbitt: Aye      Zane: Aye      Gore: Aye      Carrillo: Aye      Gorin: Aye

Ayes: 5      Noes: 0      Absent: 0      Abstain: 0

**So Ordered.**