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ATTEST: **NOV 17 2015**

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

Date: November 17, 2015

Item Number: 10 A
Resolution Number: 15-0469

4/5 Vote Required

Resolution Of The Board Of Directors Of The Sonoma County Water Agency Amending Resolution Nos. 15-0231, 15-0307 and 15-0423 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 in accordance with Government Code Section 25520 *et seq.*; and

Whereas, on July 28, 2015, this Board adopted Resolution No. 15-0307 revising the bid time and date and clarifying procedures for the sale of the Property; and

Whereas, on October 20, 2015, this Board adopted Resolution No. 15-0423 further revising the bid time and date and making a change to the purchase agreement in order to allow for a specific condition to closing; and

Whereas, on October 27, 2015, the Santa Rosa City School District ("School District") tendered an offer to purchase the Property via the use of its eminent domain powers if necessary; and

Whereas, on November 13, 2015, this Board was notified that the School District would not be pursuing its effort to purchase the Property; and

Whereas, Water Agency staff have reported that the School District's October 27th offer to acquire the property -- by eminent domain if necessary -- has disrupted the Water Agency's bid process and resulted in the loss of potential bidders; and

Whereas, Water Agency staff recommend delay of the bid opening from December 4, 2015 to January 26, 2016 to allow more time for bidders to participate in the bid process.

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 January 26, 2016, 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 as soon as possible after the bid opening for the Board's final acceptance and execution of the Purchase Agreement.
3. Except as the bid opening date has been modified by this Resolution, that the Property shall be sold in accordance with the terms and conditions of the bid process approved by this Board on October 20, 2015. Staff are hereby directed to conform the bid packet to reflect this order.

Directors:

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

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

So Ordered.