

## **RESOLUTION 2018-121**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING AND AUTHORIZING EXECUTION OF A DISPOSITION AND DEVELOPMENT AGREEMENT WITH CITY VENTURES HOMEBUILDING, LLC, FOR THE SALE AND DEVELOPMENT OF BLOCK E IN THE MIXED-USE CENTER SOUTH AREA (2812 CHATTLETON LANE FORMERLY KNOWN AS CIRCLE S)**

WHEREAS, pursuant to Part 1.85 of Division 24 of the California Health and Safety Code (Health and Safety Code Section 34170 *et seq.*; the “Dissolution Act”), on February 1, 2012, the San Pablo Local Successor Agency (the “San Pablo LSA”) succeeded to all assets, properties, contracts, leases, books and records, buildings, and equipment (the “redevelopment assets”) of the former Redevelopment Agency of the City of San Pablo (the “former Redevelopment Agency”) and, except as repealed, restricted, or revised by the Dissolution Act, was vested with all authority, rights, powers, duties and obligations under the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*; the “CRL”) previously vested with the former RDA; and

WHEREAS, the redevelopment assets included assets associated with the former Redevelopment Agency’s obligations under the CRL to increase, improve or preserve the community’s supply of low and moderate income housing available at affordable housing cost to persons and families of low and moderate income (the “housing assets”);

WHEREAS, Section 34176 of the Dissolution Act authorized the City of San Pablo to elect to retain the housing assets and functions previously performed by the Redevelopment Agency;

WHEREAS, the City of San Pablo is serving as the housing successor to the former Redevelopment Agency (the “Housing Successor”);

WHEREAS, City Ventures Homebuilding, LLC (the “Developer”) desires to purchase and develop the real property identified as Block E in the Mixed Use Center South Area (formerly known as Circle S); Block E is a housing asset owned by the City as the Housing Successor;

WHEREAS, the City and the Developer have prepared a proposed Disposition and Development Agreement (the “DDA”) providing for the purchase and development of Block E by the Developer;

WHEREAS, the Developer is proposing to build twenty-six (26) townhomes, associated parking, and two (2) public activity areas on the Site;

WHEREAS, the public activity areas will consist of an exercise area and a playground with direct access to the nearby creek trail;

WHEREAS, as part of the requirements under the proposed DDA, the Developer is required to enter into an Owner Occupancy Covenant with the initial buyers of the townhomes and require that the townhomes be owner-occupied for a period of one year;

WHEREAS, pursuant to the DDA, Developer shall ensure that contractors constructing the project employ at least one new apprentice to perform at least 400 total construction work hours, in accordance with the City's Local Economic Opportunity Policy. The Developer is also required to meet with the San Pablo Economic Development Corporation ("EDC") to contact local contractors to bid on the work;

WHEREAS, Government Code Section 65402 provides that if a general plan has been adopted, no real property shall be disposed of if the general plan applies thereto until the location, purpose and extent of such disposition has been submitted to and reported upon by the Planning Commission as to conformity with the general plan;

WHEREAS, on April 24, 2018, the San Pablo Planning Commission adopted Resolution 18-06, finding that the proposed sale of the Site was consistent with General Plan and Housing Element policies, consistent with goals and implementing policies of the San Pablo Avenue Specific Plan, and consistent, with insignificant exceptions, with the Mixed Use Center South Regulating Plan; and

WHEREAS, Michael Baker International reviewed the proposed Project on May 25, 2018, and determined that it is consistent with the San Pablo General Plan and the San Pablo Avenue Specific Plan and that no additional environmental review is required for the proposed Project.

NOW, THEREFORE, the City Council of the City of San Pablo does hereby resolve as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated herein.

Section 2. Sale of Block E. The City Council hereby approves and authorizes the sale of Block E to the Developer for the sum of \$550,000, the appraised value.

Section 3. Conformance with General Plan. Based on Planning Commission Resolution 18-06, the City Council hereby finds and determines that, pursuant to Government Code Section 65402, the disposition of Block E to the Developer for the development of the Project conforms with the City of San Pablo General Plan, the San Pablo Avenue Specific Plan and the Mixed Use Center South Regulating Plan.

Section 4. Approval of DDA. The City Council hereby approves and authorizes the City Manager to execute the DDA, in the form attached hereto, on behalf of the City. The City Manager is further authorized to execute such other documents and take such other actions as are necessary to carry out and implement the obligations of the City under the DDA, and, with the consent of the City Attorney, to approve minor, non-monetary amendments to the DDA that are necessary and appropriate for the disposition of Block E and the development of the Project as contemplated in the DDA.

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ADOPTED this 4<sup>th</sup> day of September, 2018, by the following vote:

AYES:	COUNCILMEMBERS:	Valdez, Kinney and Morris
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	Cruz and Calloway
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:	APPROVED:
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/s/ Elizabeth Pabon-Alvarado  
Elizabeth Pabon-Alvarado, City Clerk

/s/ Paul V. Morris  
Paul V. Morris, Vice Mayor