

RESOLUTION 2019-133

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO APPROVING AND AUTHORIZING EXECUTION OF A PURCHASE AND SALE AGREEMENT BY AND BETWEEN THE CITY OF SAN PABLO AND THE BLAISDELL TRUST FOR THE PURCHASE AND SALE OF PROPERTY LOCATED AT 1701 BUSH AVENUE, SAN PABLO, CALIFORNIA (APN 410-275-011-6) AND APPROPRIATING \$130,000 FROM THE GENERAL FUND DESIGNATED RESERVE / WILDCAT CREEK TRAIL SOIL STORAGE PROJECT TO THE ECONOMIC DEVELOPMENT BUDGET TO COMPLETE THE PURCHASE

WHEREAS, in March of 2015, the City initiated an update to its Zoning Code ("Zoning Update") to ensure consistency with its General Plan which included text and map amendments as well as a rezoning of certain properties;

WHEREAS, 1701 Bush Avenue ("Property") is a vacant 5,760 square foot property at the corner of Bush Avenue and 17th Street which was rezoned from R-1 (Single Family Residential) to OS (Open Space) as part of the 2015 Zoning Update due to the lack of open space throughout the City and possible use as a future pocket park;

WHEREAS, the Property recently become available for purchase;

WHEREAS, the City commissioned a Real Estate Broker for a broker's opinion of value based on comparable vacant lots with the prior R-1 zoning for the property. Based on that information, the City offered the property owner \$122,600 to purchase 1701 Bush Avenue, which the seller accepted;

WHEREAS, the proposed Purchase and Sale Agreement ("PSA") calls for the City's purchase of the Property "as-is" with the City responsible for transfer taxes and title and escrow fees; and

WHEREAS, the execution of a Purchase and Sale Agreement is not a project requiring environmental review under the California Environmental Quality Act, but before the City considers a particular project on the property, the appropriate review under CEQA will be undertaken.

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. Approval of Purchase and Sale Agreement. The City Council hereby approves and authorizes the City Manager to execute the Purchase and Sale and Agreement ("PSA") in the form attached hereto as Exhibit 1, on behalf of the City. The City Manager is further authorized to execute such other documents including a

Certificate of Acceptance, and take such other actions as are necessary to carry out and implement the obligations of the City under the PSA, and, with the consent of the City Attorney, to approve minor, non-monetary amendments to the PSA that are necessary and appropriate for the conveyance of the Property.

Section 3. Use of General Fund Designated Reserves. The City Council hereby authorizes the appropriation of \$130,000 of General Fund Designated Reserves currently allocated for the Wildcat Creek Trail Soil Storage Project to the “land purchase” line-item in the Economic Development budget (100-1320-47150-BUS-AVE) for the purchase of the Property, and transfer taxes, title and escrow fees and related transaction costs. City Council will have an opportunity to replenish the Wildcat Creek Trail Soil Storage Project when future General Fund balance becomes available.

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PASSED AND ADOPTED this 3rd day of September, by the following votes:

AYES:	COUNCILMEMBERS:	Xavier, Pabon-Alvarado, Cruz and Kinney
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
RECUSED:	COUNCILMEMBERS:	Pineda

ATTEST:	APPROVED:
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/s/ Patricia Ponce
Patricia Ponce, City Clerk

/s/ Rich Kinney
Rich Kinney, Mayor