

RESOLUTION NO. 28662

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SANTA ROSA CITY SCHOOL DISTRICT'S REQUEST TO EXTEND THE DEADLINE FROM JUNE 30, 2015, TO JUNE 30, 2017, FOR THE SCHOOL DISTRICT TO BEGIN CONSTRUCTION OF AFFORDABLE HOUSING FOR SCHOOL DISTRICT EMPLOYEES OF LOW OR MODERATE INCOME ON THE FIR RIDGE SCHOOL DISTRICT SITE, AND AUTHORIZE EXECUTION OF A TWELFTH AMENDMENT TO THE FIR RIDGE HOLDING AGREEMENT

WHEREAS, the City of Santa Rosa (City) and Braewood Development Corporation (Braewood) entered into a Holding Agreement (Agreement), recorded as Document No. 88-063213, Official Records of Sonoma County, under which the Santa Rosa City School District (School District) could acquire a parcel of real property, Lot "F" of the Fir Ridge North at Fountaingrove Subdivision, on which to construct a school, subject to certain conditions and during a specific time period, as set forth in the Agreement; and

WHEREAS, the City and Braewood entered into a First and a Second Amendment to the Agreement, recorded as documents numbered 1992-0117291 and 1993-0105642, Official Records of Sonoma County; and

WHEREAS, the School District subsequently acquired all of Braewood's remaining rights and interests in Lot "F" and is the assignee and successor-in-interest of Braewood under the Agreement, as amended; and

WHEREAS, the City and School District thereafter entered into a Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth and Eleventh Amendment to the Agreement, as amended, recorded as documents numbered 1999-136815, 2003-085486, 2005-098418, 2006-101578, 2007-081165, 2008-059249, 2009-061422, 2011-061754 and 2013-068304 of the Official Records of Sonoma County; and

WHEREAS, as permitted by the Agreement, as amended, the School District has elected to develop certain specified housing on Lot F and not a school; and

WHEREAS, the School District has requested a Twelfth Amendment to the Agreement to extend the allowable time to June 30, 2017, to commence construction of such housing.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa approves the Santa Rosa City School District's request to extend the deadline from June 30, 2015 to June 30, 2017, for the School District to begin construction of affordable housing for School District employees of low or moderate income on the Fir Ridge School District Site, contingent on achievement of certain milestones as incorporated into a Twelfth Amendment to the Fir Ridge Holding Agreement.

BE IT FURTHER RESOLVED that the Council authorizes the Mayor to execute such Twelfth Amendment to Holding Agreement, in substantially the same form as attached hereto in Exhibit A and subject to approval by the City Attorney, following its execution by the School District.

IN COUNCIL DULY PASSED this 30th day of June, 2015.

AYES: (5) Mayor Sawyer, Vice Mayor Coursey, Council Members Combs, Olivares, Schwedhelm

NOES: (1) Council Member Wysocky

ABSENT: (1) Council Member Carlstrom

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
Deputy City Clerk Mayor

APPROVED AS TO FORM:

City Attorney

Attachment: Exhibit A – Twelfth Amendment to Holding Agreement