

RESOLUTION NO. RES-2024-104

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AMENDMENT TO EXTEND THE TERM OF THE EXCLUSIVE NEGOTIATION AGREEMENT DATED JANUARY 19, 2024, AMONG THE CITY OF SANTA ROSA, BURBANK HOUSING DEVELOPMENT CORPORATION, AND 10 E STREET, LLC, FOR THE REAL PROPERTY LOCATED AT 730 3<sup>RD</sup> STREET, SANTA ROSA, CALIFORNIA

WHEREAS, on September 12, 2023, the City Council, by Resolution No. RES-2023-160: 1) approved entering into an Exclusive Negotiation Agreement with Burbank Housing Development Corporation and 10 E Street, LLC (collectively, “Developer”), for the potential disposition and development of the real property located at 730 3<sup>rd</sup> Street, Santa Rosa, CA, also known as Assessor Parcel Number 009-072-044 or White House Site (the “Property”), which was declared surplus by Council in December 2022; 2) authorized the City Manager to execute an Exclusive Negotiation Agreement and any amendments thereto, subject to approval as to form by the City Attorney’s Office; and 3) directed staff to initiate negotiations to enter into a Disposition and Development Agreement for the Property; and

WHEREAS, the City and Developer entered into an Exclusive Negotiation Agreement (as amended, the “ENA”) dated January 19, 2024; and

WHEREAS, the initial period of the ENA ran for ninety (90) days, and was extended by the City Manager for an additional 90 days, pursuant to that certain First Amendment to Exclusive Negotiation Agreement dated April 18, 2024, in accordance with the terms of the ENA; and

WHEREAS, the parties are seeking an additional sixty (60) day extension in order to reach an agreement on the ENA term sheet.

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NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa approves amending the Exclusive Negotiation Agreement dated January 19, 2024, as amended by that certain First Amendment to Exclusive Negotiation Agreement dated April 18, 2024, among the City of Santa Rosa, Burbank Housing Development Corporation and 10 E Street, LLC, to extend the term for an additional sixty (60) days beyond the expiration of the current term, in order to reach agreement on an ENA term sheet, after which the Parties will continue to have an additional 60 days from the agreement on the term sheet to negotiate and prepare a Disposition and Development Agreement for consideration and action by Council.

IN COUNCIL DULY PASSED this 9th day of July, 2024.

AYES: (5) Mayor N. Rogers, Vice Mayor Stapp, Council Members MacDonald, Okrepkie, C. Rogers

NOES: (0)

ABSENT: (2) Council Members Alvarez, Fleming

ABSTAIN/RECUSE: (0)

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM: \_\_\_\_\_  
City Attorney