

RESOLUTION NO. RES-2023-089

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE ACQUISITION OF 470 SEBASTOPOL ROAD, SANTA ROSA AND RELATED PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS WITH GUILLERMO SANCHEZ, APPROVING ASSUMPTION OF LEASE AGREEMENT WITH THE SONOMA COUNTY LIBRARY, AND DELEGATING AUTHORITY TO THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO COMPLETE THE TRANSACTION

WHEREAS, the City seeks to acquire the property located at 470 Sebastopol Road, APN 125-162-031 (the "Property"), which is currently leased to the Sonoma County Library for operation of the temporary Roseland Regional Library ("Library"), for continued lease for the Library and for the planned future conversion to a police substation (the "Project"); and

WHEREAS, on February 28, 2023, in closed session, the City Council gave staff direction on price and terms for the purchase of the Property; and

WHEREAS, the City has entered into a Purchase and Sale Agreement and Joint Escrow Instructions with Guillermo Sanchez, dated April 13, 2023 and attached hereto as Exhibit A ("Purchase Agreement"), which Agreement provides for the City's acquisition of the property for the amount of \$2.2 million plus closing costs, which is within the approved price and term parameters provided by City Council in closed session; and

WHEREAS, the Purchase Agreement is contingent on City Council's approval of the purchase of the Property, among other conditions; and

WHEREAS, the existing Lease between Guillermo Sanchez and the Sonoma County Library, attached hereto as Exhibit B, of the 4,500 square foot stand-alone building ("Lease") is for a six-year term that commenced June 15, 2019 and ends June 30, 2025, with three additional 24-month options to extend and a current base rent of approximately \$9,342.82/month with 3% annual increases plus triple net expenses; and

WHEREAS, staff now seeks approval of the purchase of the Property and the necessary delegation of authority in order to negotiate and execute the documents necessary for assumption and potential amendment of the existing Library Lease; and

WHEREAS, on April 20, 2023, the Measure H Public Safety Special Tax Oversight Committee approved use of Measure H funding for the acquisition of the Property and funding will be appropriated to General Ledger Account No. 170302 from Measure H funds allocated to Police, available effective July 1, 2023. Income generated from the assumed Lease will be returned to the Measure H Police fund balance account; and

WHEREAS, the purchase of the Property and its temporary use for the Roseland Regional Library and future conversion to a police substation has been reviewed pursuant to the California Environmental Quality Act (CEQA) and found to be exempt from CEQA under CEQA Guidelines Section 15301 (Existing Facilities) and Section 15323 (Normal Operations of

Facilities for Public Gatherings) in that the purchase of the Property will result in the continued temporary operation of the existing library and that the future police station conversion would be located within the existing structure, would result in a negligible expansion of an existing use and would result in no significant impacts, and, further, that it has been found that no exceptions to the exemptions apply and there is no reasonable possibility that the Project will have a significant effect on the environment due to unusual circumstances (CEQA Guidelines section 15300.2); and

WHEREAS, the purchase of the Property and its future conversion to a police substation has also been found to be exempt from CEQA pursuant to CEQA Guidelines Section 15183 in that the Project is consistent with the City's General Plan and the Roseland Area/Sebastopol Road Specific Plan for which EIRs were prepared and certified and that the Project would not result in any effects that are peculiar to the project or the project site, or that were not analyzed in the General Plan or Specific Plan EIRs; and

WHEREAS, the purchase of the Property and its future conversion to a police substation has been found to comply with the General Plan as the Project site's CG (General Commercial) zoning designation is considered an implementing zoning district of the Retail and Business Services land use designation and would allow for the establishment of the police substation with no further action required.

NOW, THEREFORE, BE IT RESOLVED that the Council approves the acquisition of 470 Sebastopol Road, APN 125-162-031 in accordance with the Purchase and Sales Agreement and Joint Escrow Instructions with Guillermo Sanchez dated April 13, 2023, attached as Exhibit A ("Purchase Agreement"), and all contract contingencies contained therein.

BE IT FURTHER RESOLVED that Council approves the City's assumption of the existing Lease Agreement between the Guillermo Sanchez and the Sonoma County Library for continued temporary use of the Property for the Roseland Library.

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BE IT FURTHER RESOLVED that Council delegates authority to the City Manager (1) to negotiate and execute any necessary agreements, amendments and/or related documents for the City's acquisition of the Property in accordance with this Resolution, subject to approval as to form by the City Attorney; (2) to negotiate and execute any necessary agreements, amendments and/or related documents for the assumption by the City of the existing Lease Agreement with the Sonoma County Library for the Property in accordance with this Resolution, subject to approval as to form by the City Attorney; and (3) to negotiate and execute any amendments to the Lease Agreement deemed by the City Manager to be necessary or appropriate, subject to approval as to form by the City Attorney.

IN COUNCIL DULY PASSED this 6th day of June 2023.

AYES: (7) Mayor N. Rogers, Vice Mayor MacDonald, Council Members Alvarez, Fleming, Okrepkie, C. Rogers, Stapp

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney

Exhibit A - Purchase Agreement between Guillermo Sanchez and the City of Santa Rosa
Exhibit B – Lease between Sanchez and Sonoma County Library