

RESOLUTION NO. 2021-36

RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS ACCEPTING A BID FOR PURCHASE OF COUNTY SURPLUS REAL PROPERTY LOCATED AT 2344 OLD SONOMA ROAD, NAPA, AND AUTHORIZING THE CHAIR OF THE BOARD AND STAFF TO EXECUTE ALL DOCUMENTS NECESSARY TO CONSUMMATE THE SALE AND TRANSFER OF THE PROPERTY

WHEREAS, the County has owned and operated a 8.6 acre property located at 2344 Old Sonoma Road, Napa, APN 004-291-015-000 (the “Old Sonoma Road Property” or “Property”) as a Health and Human Services Agency campus and for other County uses for more than fifty years; and

WHEREAS, on March 24, 2020, the Board adopted Resolution 2020-42 designating the Property as surplus, declaring intent to sell the property pursuant to the Surplus Lands Act (Government Code Section 54222), and establishing minimum price and other terms for sale of the Property; and

WHEREAS, pursuant to the Act, County conducted good faith negotiations for a minimum of 90 days with the one party that expressed interest in purchase of the property and subsequently concluded those negotiations on December 14, 2020; and

WHEREAS, on January 4, 2021, County notified the Department of Housing and Community Development (“HCD”) of County’s full compliance with the Act as required by Government Code Section 54230.5; and

WHEREAS, HCD’s 30-day period to comment on County’s compliance expired with only one comment regarding the form of the restrictive covenant being received from HCD, thus allowing the County to proceed with a request for proposals (“RFP”) process to select the highest bidder pursuant to the process outlined in Government Code Section 25526 and following; and

WHEREAS, on February 23, 2021, the Board adopted Resolution No. 2021-18 declaring minimum price and other terms for the sale of the Property, including the issuance of a RFP; and

WHEREAS, on April 19, 2021, in compliance with the Board’s designated procedures in the Resolution of Intent, the Bid Selection Committee (“Committee”) designated by the County Executive Officer (“CEO”) opened one bid that was submitted by a prospective purchaser for purchase of the Property; and

WHEREAS, the Committee acknowledged receipt of the bid as complete but was unable to determine that the sole bid was responsive to the requirements of the Resolution of Intent and the RFP due to the bid package arriving four minutes after the stated deadline; and

WHEREAS, the Board retains authority to waive any irregularities in the bid package and may accept the sole bid as responsive despite it arriving minutes after the deadline; and

WHEREAS, in recognition that there was only one bid and that the bid met the substantive requirements of the RFP, the CEO has recommended that the Board adopt this Resolution accepting the bid from SN Management Corp. and authorizing the sale of the Property to SN Management Corp. for \$7,500,000 and with all other requirements set forth in the Purchase and Sale Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Napa County as follows:

1. The foregoing recitals are true and correct and incorporated herein.
2. The Board waives any irregularities in the Bid from SN Management Corp. and finds the sole Bid responsive.
3. The Board accepts the recommendations of the CEO.
4. Pursuant to Government Code Section 25535, the Board accepts the bid of SN Management Corp. for purchase of the Property for a net purchase price to be paid to the County of \$7,500,000 together with all other requirements set forth in the Purchase and Sale Agreement.
5. The Board authorizes the Chair of the Board to execute the Purchase and Sale Agreement with SN Management Corp. on terms and conditions consistent with the Resolution of Intent and to execute a grant deed of the Property to be delivered into escrow.
6. The Board authorizes the Director of Public Works or designee to negotiate and execute any agreements or documents necessary to facilitate the purchaser's research and investigation of the Property during the due diligence period.
7. The Board authorizes the CEO or designee to take any other steps and to sign any other documents that are necessary to consummate the sale of the Property on the terms and conditions specified herein and consistent with the Resolution of Intent, including without limitation the Affordable Housing Restrictive Covenant, the execution of escrow documents and delivery of the County's grant deed to the purchaser and/or to an escrow holder agreed to by the CEO's office.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Board of Supervisors at a regular meeting of the Board of Supervisors of Napa County, State of California, held on the 4th day of May, 2021, by the following vote:

AYES:	SUPERVISORS:	_____
NOES:	SUPERVISORS:	_____
ABSTAIN:	SUPERVISORS:	_____

ABSENT: SUPERVISORS: _____

NAPA COUNTY, a political subdivision of the
State of California

ALFREDO PEDROZA, Chair of the
Board of Supervisors

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: <i>Chris R.Y. Apallas</i> Deputy County Counsel</p> <p>Date: April 21, 2021 OSR Final Acceptance Reso 5-4- 21_45630.docx</p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____</p> <p>Processed By: _____ Deputy Clerk of the Board</p>	<p>ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors</p> <p>By:____ _____</p>
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