RESOLUTION NO. 09-157

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES TO AUTHORIZE CHANGE TO THE PURCHASE AND SALE AGREEMENT WITH TRIPLE P, LLC TO ACQUIRE ADDITIONAL ACREAGE WITHIN THE SALINAS RIVER CORRIDOR IN CONJUNCTION WITH THE RIVER PARKWAY GRANT

WHEREAS, the City was awarded a $4 million Grant by the State Water Resources Board for the acquisition of up to 260 acres of land within the river corridor; and

WHEREAS, the goal of the Grant is to protect and improve the water quality of the Salinas River through property acquisitions and storm water channel restoration efforts; and

WHEREAS, on November 17, 2009 the City Council authorized the City Manager to enter into a Purchase and Sale Agreement for up to 112 acres of river corridor property; and

WHEREAS, the owners now indicate a willingness to sell approximately 45 acres of additional riparian area that would increase the total purchase beyond the 112 acres identified in the signed Purchase and Sale Agreement to as much as 157 acres; and

WHEREAS, purchasing additional riparian lands is consistent with the originally stated goals for the State Grant of acquiring up to 260 acres; and

WHEREAS, any additional acreage negotiated for purchase would be contingent on State funding availability, with the State funding directly to an escrow account; and

WHEREAS, the extent of any supplemental purchase will be determined through a boundary survey and confirmation in the field with the property owners; and

WHEREAS, it is estimated that the modified potential total purchase price could reach approximately $2 million, covered by State funding, provided the City contributes twenty-five percent (25%) matching value to the project cost; and

WHEREAS, authorizing the City Manager to enter into a supplemental agreement to purchase acreage up to 157 acres will provide the flexibility needed to negotiate with the property owners beyond the current 112 acres cited in the signed Purchase and Sale Agreement (PSA); and

WHEREAS, the grant represents a significant and generous “return on the dollar” for a project that promotes multiple community and state wide goals; and

WHEREAS, at this time, no additional appropriation of funds are anticipated in order to finalize the purchase.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of El Paso de Robles to authorize the City Manager to enter into a Supplemental Purchase and Sale Agreement with Triple P, LLC for the acquisition of up to 157 acres of Salinas River corridor property consistent with the City's General Plan and State Water Resource Agency Grant contract goals, and any other documents necessary to effectuate the purchase of the property; and

ADOPTED by the City Council of the City of El Paso de Robles at a regular meeting of said Council held on the 1st day of December 2009 by the following vote:

AYES: Gilman, Hamon, Steinbeck, Strong, and Picanco
NOES:
ABSTAIN:
ABSENT:

_____
Duane Picanco, Mayor

ATTEST:

_____
Lonnie Dolan, Deputy City Clerk