

## RESOLUTION NO. 2024-XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD APPROVING A PURCHASE AND SALE AGREEMENT WITH ROBERT J. FREITAS II, OR RELATED ENTITY, FOR THE REAL PROPERTY LOCATED AND 498 FAIRVIEW AVENUE, BRENTWOOD, CALIFORNIA; AND AUTHORIZING THE CITY MANAGER OR DESIGNEE, TO PERFORM ALL NECESSARY ACTIONS AND EXECUTE THOSE AGREEMENTS NEEDED TO COMPLETE THE SALE.**

**WHEREAS**, on July 23, 1991, the City Council adopted Resolution No. 91-95, accepting a grant deed to acquire the property at 498 Fairview Avenue. The property was purchased using Roadway DIF funds, formerly titled the Thoroughfare Facility Fee Fund, to construct thoroughfare improvements at the intersection of Fairview Avenue and Dainty Avenue; and

**WHEREAS**, on December 14, 2010, the City Council, by way of Resolution No. 2010-176, adopted Council/Administrative Policy No. 10-20 ('Disposition of City/Agency Real Estate') to provide guidance for the disposition of excess or surplus real estate owned in fee title by the City of Brentwood ("City") or the former City of Brentwood Redevelopment Agency ("Agency"); and

**WHEREAS**, on July 14, 2020, the City Council adopted the Amended City of Brentwood Strategic Plan for FY 2020/21 – FY 2021/22, which included Strategic Priorities to facilitate development and encourage investment and implement the City's Economic Development Action Plan; and

**WHEREAS**, on October 13, 2020, by way of Resolution No. 2020-132, the City Council declared certain real property as surplus and authorized the City Manager or designee to provide notification to required parties under State Law and offered the properties for sale; and

**WHEREAS**, on May 23, 2023, by way of Resolution No. 2023-62, the City Council amended City Council Administrative Policy No. 10-20 ('Disposition of City/Agency Real Estate'); and

**WHEREAS**, Government Code 54220, et seq., and AB 1485 require certain actions be taken by a public agency to dispose of surplus real property, which may include, but are not limited to, notifying public agencies and affordable housing developers of the availability of the real properties and providing a 60-day period to consider making an offer to purchase a property or properties, and these actions have been undertaken with respect to the Property described below; and

**WHEREAS**, the City of Brentwood is the owner in fee simple of that certain real property located 498 Fairview Avenue, Brentwood, California 94513, Assessor

Parcel Number 012-020-003, consisting of 68,389 square feet on 1.570 acres (the "Property"); and

**WHEREAS**, the City has received an offer to purchase the Property for \$500,000 for the purpose of constructing a 5,000 to 7,000-square-foot office building that will allow the Buyer's existing Brentwood dental practice to relocate and accommodate another dentist, with an estimated total workforce of 20 to 25 employees; and

**WHEREAS**, the City Council finds that the sale of the Property for the functions stated herein conform to General Plan Policy LU 3-9 ('Encourage the retention and expansion of the city's existing businesses and encourage start-up and home-based businesses by Brentwood residents') insomuch as the location, purpose, and extent of the sale will facilitate the development of a new professional office building to serve and grow an existing business; and

**WHEREAS**, the sale and potential development of Property will provide fiscal and economic benefits for the City and community.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Brentwood does hereby resolve to approve and authorize the City Manager, or designee to:

1. execute an Agreement for Purchase and Sale of real property and Joint Escrow Instructions with Robert J. Freitas II, or related entity for the real property located 498 Fairview Avenue, Brentwood, CA 94513 APN 012-020-003, for the purchase price of \$500,000, which agreement shall be substantially similar to that attached hereto and incorporated herein as Exhibit 'A'; and
2. perform all necessary actions and execute those agreements as needed to complete the sale.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Brentwood at a regular meeting held on the 10<sup>th</sup> day of December 2024 by the following vote: