

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT
BOARD OF DIRECTORS**

Meeting Date: August 12, 2020

Subject/Title: Delegate Authority to Fire Chief or the Clerk of the Board to Execute Real Estate Conveyance Documents to Sell Decommissioned Station 95 to the Vera Cort Revocable Living Trust

Submitted By: Laura Ratcliffe and Shayna van Hoften, Legal Counsel

RECOMMENDATION FOR ACTION

That the East Contra Costa Fire Protection District (District) Board of Directors (Board) adopt a resolution to delegate authority to the Fire Chief, Brian Helmick, or the Clerk of the Board, Regina Rubier, to execute a Purchase and Sale Agreement, Grant Deed, and other documents necessary to convey real property known as Station 95 in Bethel Island, California, to Vera Cort, Trustee of the Vera Cort Revocable Living Trust (Buyer) for a mutually-agreed-upon price.

PRIOR BOARD ACTIONS

On June 12, 2019, the District's Board of Directors declared a decommissioned fire station located at 3045 Ranch Lane, Bethel Island, CA (the "Property") as surplus following a public hearing on such declaration, pursuant to California Government Code Section 54220 *et. seq.*

SUBJECT BACKGROUND

As required by California Government Code Section 54222, the District provided a written notice of availability to various local public entities within whose jurisdiction the Property is located. None of the entities or associations contacted desired to purchase or lease the land for the purposes authorized in the Section.

In the case of the sale of this Property, the Board determined that a sale through a licensed broker would yield the highest purchase price, notwithstanding a provision of Board Policy No. 231, which generally prohibits sales commissions for the disposition of surplus property. Staff engaged CBRE to market and list the property for sale.

The District, through CBRE, received several offers on the property and engaged in negotiations with multiple potential purchasers, resulting in the Buyer offering the highest and most favorable bid. Once the Board approves the sale of the Property, Staff and the District's brokers will commence negotiations of a Purchase and Sale Agreement with Buyer.

At this time, staff recommends that the Board authorize the Fire Chief or Board Clerk to execute the Purchase and Sale Agreement, Grant Deed, and any other necessary documents to facilitate the sale of the Property to Buyer, and waive Section 231.4(f) of Board Policy No. 231 prohibiting sales commissions.

Attachment: Resolution

**EAST CONTRA COSTA FIRE PROTECTION DISTRICT BOARD OF DIRECTORS
STATE OF CALIFORNIA**

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RESOLUTION 2020 - ____

**AUTHORIZING THE FIRE CHIEF OR THE CLERK OF THE BOARD TO EXECUTE REAL
ESTATE CONVEYANCE DOCUMENTS FOR STATION 95**

WHEREAS, on June 12, 2019, the East Contra Costa Fire Protection District (District) Board of Directors (Board) declared a decommissioned fire station located at 3045 Ranch Lane, Bethel Island, CA (the "Property") as surplus following a public hearing on such declaration, pursuant to California Government Code Section 54220 *et. seq.*; and

WHEREAS, the District complied with the provisions of California Government Code Section 54220 *et. seq.*, including providing notices of availability to relevant public agencies within whose jurisdiction the Property is located; and

WHEREAS, no public agencies were interested in purchasing the Property, and the Board determined that a sale through a licensed broker would yield the highest purchase price; and

WHEREAS, the District worked with a real estate broker to list the Property on the commercial real estate market, and received several offers on the Property; and

WHEREAS, staff recommends that the Board authorize the Fire Chief or the Clerk of the Board to execute a Purchase and Sale Agreement, Grant Deed, and other necessary documents to complete the sale of the Property to Vera Cort, Trustee of the Vera Cort Revocable Living Trust ("Buyer"), at a cost of mutually agreed upon by the parties.

NOW, THEREFORE BE IT RESOLVED that the East Contra Costa Fire Protection District Board of Directors hereby finds and declares that for the purposes of the sale of the Property, it will waive the provision prohibiting sales commissions as described in Section 231.4(f) of Board Policy No. 231;

BE IT FURTHER RESOLVED that the Fire Chief, Brian Helmick, or the Clerk of the Board, Regina Rubier, may execute a Purchase and Sale Agreement, Grant Deed, and other necessary documents to facilitate the sale of the Property to Buyer.

PASSED, APPROVED AND ADOPTED by the Board of Directors of the East Contra Costa Fire Protection District at a special meeting held on the 12th day of August, 2020 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Brian J. Oftedal,
President, Board of Directors

ATTEST:

Regina Rubier, Clerk of the Board