## Resolution No. 2020-03-24-1105 STOCKTON CITY COUNCIL

RESOLUTION APPROVING AN AMENDMENT TO THE OPTION AGREEMENT BETWEEN THE CITY OF STOCKTON AND STOCKTONIANS TAKING ACTION TO NEUTRALIZE DRUGS, FOR A PROPOSED MIXED-USE RETAIL DEVELOPMENT PROJECT IN SOUTH STOCKTON

The City of Stockton (the "City") owns property in South Stockton, inclusive of County Assessor Parcel Numbers 169-163-01 and 169-151-01, more specifically 2222 South Airport Way and 2244 South Airport Way; and

Stocktonians Taking Action to Neutralize Drugs, a 501 (c)(3) non-profit corporation, (the "Developer") has submitted a proposal for the above subject parcels which includes construction of a mixed-use, infill development project; and

The City supports the proposed project and the Council approved a Purchase Option Agreement with the Developer on April 17, 2018, and the City Manager executed the agreement on May 10, 2018; and

Developer desires to amend the Option Agreement to extend the Agreement an additional three years; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City Manager is authorized to execute an Amendment to the Option Agreement with Stocktonians Taking Action to Neutralize Drugs, which is attached hereto as Exhibit 1 and incorporated by this reference.

2.	The	City	Manager	is	hereby	authorized	to	take	whatever	actions	are
necessary ar	nd ap	propr	iate to car	уc	out the p	urpose and	inte	ent of	this Resolu	ıtion.	

PASSED, APPROVED, AND ADOPTED \_\_\_\_\_ March 24, 2020

Mayor of the City of Stockton

ATTEST:

ELIZA R. GARZA, CM CONTROL City Clerk of the City of Stockton

Exhibit 1

## **EXTENSION OF OPTION TO PURCHASE AGREEMENT**

This Extension is made on April 2, 2020, by and between the Stocktonians Taking Action to Neutralize Drugs, a 501 (c)(3) non-profit corporation ("Buyer"), and the CITY OF STOCKTON, a California municipal corporation ("City" or "Seller"), on the terms set forth below:

- A. On April 17, 2018, the City Council approved an Option to Purchase Agreement ("Agreement") with Stocktonians Taking Action to Neutralize Drugs for Cityowned property at 2222 South Airport Way and 2244 South Airport Way.
- B. Buyer intends to construct a health clinic, as well as a combination of office space, public gathering space, affordable housing and/or retail services.
- C. On May 10, 2018 Buyer and Seller executed the Option Purchase Agreement for a period of two-years.
  - D. Agreement expires on May 10, 2020, and Buyer desires to extend it.
- E. The Buyer and Seller (together the "Parties") agree to extend the term of the Agreement based on the reasonable progress being made in the development of the site and to allow Buyer additional time to conduct its due diligence.

## **AMENDMENT**

The Option to Purchase Agreement is hereby amended as follows:

- 1. Pursuant to Section 17, Parties hereby agree that the term of the Agreement shall be extended for an additional three (3) years from the expiration date of the executed Option Agreement, which is May 10, 2020. The three-year extension will expire on May 10, 2023.
- 2. All other terms and provisions of the original Option to Purchase Agreement are unchanged and remain in full force and effect.

Exhibit 1

3. The undersigned represent and warrant that they are each authorized to execute this Agreement by the party on whose behalf they have signed.

IN WITNESS WHEREOF, the SELLER and BUYER have executed this Amendment as of the date first above written.

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SELLER:	
CITY OF STOCKTON, a municipal corporation	
By: ROMANAGER HARRYBLACK, CITY MANAGER	Dated: 4/2/2020
ATTEST:	
By: My Mauce ELIZA R. GARZA, CMC CITY CLERK	Dated: 4 3 2020
APPROVED AS TO FORM AND CONTENT:	
JOHN M. LUEBBERKE CITY ATTORNEY	1
By:	Dated: 3/31/2020

## BUYER:

Stocktonians Taking Action to Neutralize Drugs (STAND), a 501 (c)(3) non-profit corporation

By: FRED SHEIL, ADMINISTRATOR

Dated: 3-26-2020