

**Before the Governing Board of the Successor Agency  
to the Former Placer County Redevelopment Agency  
County of Placer, State of California**

**In the matter of:**

Adopt a resolution to authorize the Successor Agency Officer, or designee, to execute a real estate consulting services agreement with a qualified broker to provide real estate consulting services for the disposition Eastern Gateway and Everett (Town Center South) properties.

Reso. No. 2015-224

Ord. No. \_\_\_\_\_

First Reading \_\_\_\_\_

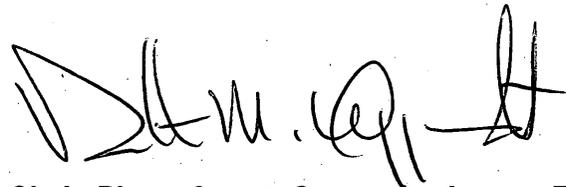
The following Resolution was duly passed by the Placer County Successor Agency Board at a regular meeting held October 20, 2015, by the following vote on roll call:

**Ayes:** DURAN, WEYGANDT, HOLMES, MONTGOMERY

**Noes:** NONE

**Absent:** UHLER

Signed and approved by me after its passage.



Chair, Placer County Successor Agency Board

Attest:

Clerk of said Board



WHEREAS, the real property owned by the former redevelopment agency and now owned by the Successor Agency includes the following two properties in Kings Beach:

- Everett (Town Center South) – APNS: 090-142-001, 090-142-002, 090-142-011, and 090-142-029
- Eastern Gateway – APNS: 090-370-005, 090-370-006, 090-221-012, 090-221-013, 090-221-014, 090-221-018, 090-221-020, 090-221-021, 090-221-026 and 090-221-027

WHEREAS, the amended Long-Range Property Management Plan, as approved by the Placer County Oversight Board on February 26, 2014 and approved by the Department of Finance on May 19, 2014, addresses the disposition of real properties of the former redevelopment agency.

WHEREAS, on September 29, 2015, the Placer County Oversight Board of the Successor Agency adopted Resolution No. 2015-05 approving the release of Request for Information/Qualifications (RFI/Q) for the Eastern Gateway and Everett (Town Center South) to identify potential developers/buyers.

WHEREAS, on September 29, 2015, the Oversight Board approved the Successor Agency to secure agreement(s) with broker(s) as needed to assist with the marketing of the Eastern Gateway and Town Center South (Everett) properties.

THEREFORE BE IT RESOLVED, that the Placer County Successor Agency Board delegates authority to the Successor Agency Officer, or designee, to enter into a real estate consulting services agreement pursuant to the material terms in Exhibit A with a qualified broker to provide real estate consulting services for the disposition of the Eastern Gateway and Everett (Town Center South) properties and subject to Successor Agency Counsel and Placer County Counsel approval.

THEREFORE BE IT FURTHER RESOLVED to submit this resolution and the Oversight Board's adopted Resolution No. 2015-05 to the California Department of Finance.

**RESOLUTION EXHIBIT A**

**Material Terms for the Real Estate Consulting Services Agreement  
Marketing of Property and Request for Information of Potential Developers  
Eastern Gateway and Everett (Town Center South) Properties**

1. **Term:** The Real Estate Consulting Services Agreement will be for one year or until one of the following occurs, whichever is earlier:
  - a. Final payment is made for real estate consulting services within the approved agreement amount.
  - b. Termination of the Request for Information (RFI) process for the properties by the Successor Agency.
  - c. Broker may terminate its services of the agreement only upon good cause or upon the mutual agreement of the Successor Agency, and shall provide 30 days advance written notice of any such intent to terminate.
  
2. **Services:** Broker shall provide real estate consulting services to the Successor Agency for marketing and exposure of the following two properties in Kings Beach, California:
  - Eastern Gateway: APNs 090-370-005, 090-370-006, 090-221-012, 090-221-013, 090-221-014, 090-221-018, 090-221-020, 090-221-021, 090-221-026 and 090-221-027
  - Everett (Town Center South) APN: 090-142-001, 090-142-002, 090-142-011, and 090-142-029

The real estate consultant shall assist with marketing the properties; hold specific property showings; attend public and Successor Agency Board meetings associated with the properties; assist with evaluation of the potential developer information or qualifications; and assist with document preparation associated with the marketing of the properties. Additionally, the broker may be asked to provide real estate brokerage services representing the interest of the Successor Agency on a case by case basis, and at the sole discretion of the Successor Agency. The broker is not precluded from entering into a similar agreement with the County of Placer if both agencies decide to market the Everett (Town Center South) and Kings Beach Center properties together.
  
3. **Real Estate Consulting Fee:** The broker shall be compensated on a time and materials basis according to an hourly consulting rate, pursuant to the Real Estate Consulting Services Agreement. The compensation for real estate consulting services will not exceed \$30,000. If the broker identifies a qualified buyer, he/she may be able to act as the broker for both the Successor Agency and the buyer, if both parties agree and pursuant to a separate Purchase and Sale Agreement. In the event a sale is consummated, terms of the Consulting Services Agreement require the broker to deduct from any sales commission due the broker, the amount paid for services provided to the Successor Agency under the Consulting Services Agreement. If the buyer is represented by a separate broker, the broker would agree to split 50/50 the real estate commission due. Any sale commission shall not to exceed 6%. Any sale commission shall be deducted from the purchase price, less the consulting fee amount, upon, and only in the event of, close of escrow.
  
4. **Real Estate Consultant Authority:** Except as specified in the real estate consulting agreement or in writing, the broker shall have no authority to act on behalf of the Successor Agency in any capacity or have authority to bind the Successor Agency.