

RESOLUTION NO 1092

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES AUTHORIZING THE DIRECTOR OF THE WATER DEPARTMENT TO SIGN AGREEMENTS AND DOCUMENTS TO SUBORDINATE OR RELEASE THE CITY'S LIEN ON THE PROPERTY AT 624 AVALON AVENUE , AND ANY OTHER DOCUMENTS REQUIRED FOR GENTRY HOLDING LLC TO CLOSE A REFINANCE, SUBJECT TO: (1) IMMEDIATE RECEIPT BY THE CITY OF PAYMENT OF HALF THE OUTSTANDING BALANCE OF THE DELINQUENT DEMAND FEE PAYMENT PLAN; AND (2) APPROVAL AS TO FORM OF ANY AGREEMENTS BY THE OFFICE OF THE CITY ATTORNEY

WHEREAS, Gentry Holdings LLC (customer) has a delinquent outstanding balance due to Santa Rosa Water in the amount of \$47,805.83; and

WHEREAS, the City has a lien on the customer's property, 624 Avalon Ave for the original loan amount of \$59,768.29; and

WHEREAS, customer has proposed a payment agreement with the City to pay the outstanding balance; one half prior to a refinance of the property, the remainder at \$500/month contingent on his ability to refinance his property; and

WHEREAS, First American Title and Umpqua Bank will require the City to subordinate or release the current lien in order to refinance the property; and

WHEREAS, customer has provided a Profit and Loss Statement demonstrating that the property operated at a net income in 2014. Customer is expecting to lower monthly expenditures by refinancing at a lower interest rate and paying off two additional deeds of trust prior to the refinance; and

WHEREAS, if approved by the Board, and subject to approval as to form by the Office of the City Attorney, the City would execute a revised Payment Plan Agreement with customer resulting in a new lien against the property which would be subordinate to other financing.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Public Utilities authorizes the Director of the Water Department to sign a Subordination Agreement if needed, a new Payment Plan Agreement or amendment thereto for the property at 624 Avalon Avenue, and any other documents required for Gentry Holding LLC to close a refinance, subject to: (1) immediate receipt by the City of payment of half the outstanding balance; and (2) approval as to form of any agreements by the Office of the City Attorney.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities  
this 16th day of July, 2015


AYES: (6) GALVIN, KAUN, DOWD, HOLT, STEFFENSEN, AND TIBBETTS

NOES: (0)

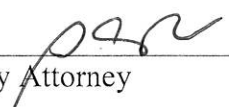
ABSENT: (1) ARNONE

ABSTAIN: (0)

APPROVED:   
Daniel J. Galvin III  
Chairman

ATTEST:   
Gina Perez  
Recording Secretary

APPROVED AS TO FORM:

  
City Attorney