

RESOLUTION NO. 2018-023

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA FINDING THAT THE DEVELOPER OF THE SILVER ROSE RESORT PROJECT IS IN GOOD FAITH COMPLIANCE WITH THE TERMS AND CONDITIONS OF THE PROJECT'S DEVELOPMENT AGREEMENT

WHEREAS, on June 14, 2012, the City of Calistoga (City) entered into a Development Agreement (Agreement) with Silver Rose Venture, LP (Developer) through its approval of Ordinance No. 682; and

WHEREAS, the Agreement provided the Developer with certain assurances that they could proceed with a development project known as the Silver Rose Resort on property located on Silverado Trail involving a resort hotel, spa, restaurant, winery and single-family residences; and

WHEREAS, the term of the Agreement is for a period of five years and the City Manager has extended that term to June 14, 2019, as allowed by the terms of the Agreement; and

WHEREAS, as required by Government Code Section 65865.1 and by the Agreement, the City shall annually determine whether the Developer has, in good faith, substantially complied with the terms of the Agreement up to and including the date of the review; and

WHEREAS, at its meeting of March 20, 2018, the City Council considered the Annual Compliance Evaluation Form and Addendum submitted by the Developer that provides evidence of its good faith compliance with its obligations under the Agreement and other information provided by staff; and

WHEREAS, the Developer and members of the public were provided an opportunity to be heard regarding the Agreement's status before the City Council conducted its review.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Calistoga hereby finds that:

1. The Developer is in good faith substantial compliance with the terms and conditions of the Development Agreement between the City of Calistoga and Silver Rose Venture, LP for the Silver Rose Resort project.
2. This review satisfies the annual review of development agreement requirements as provided in Government Code §65865.1.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at its meeting held the **20th day of March, 2018** by the following vote:

AYES: Vice Mayor Dunsford, Councilmembers Barnes, Kraus and Lopez-Ortega and Mayor Canning
NOES: None
ABSTAIN: None
ABSENT: None



CHRIS CANNING, Mayor

ATTEST:



KATHY FLAMSON, City Clerk