

RESOLUTION NO. 2018-030

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, APPROVING AND AUTHORIZING THE PURCHASE OF VACANT LAND ON EARL STREET, CALISTOGA (APN 011-215-001-000) AND A BUDGET ADJUSTMENT FROM THE UNAPPROPRIATED AFFORDABLE HOUSING FUND BALANCE FOR AN AMOUNT NOT TO EXCEED \$500,000 FROM ACCOUNT NUMBER 78-4615-4910

WHEREAS, Calistoga Spa, Inc. ("Owner") is the owner of that certain vacant parcel of real property located on Eddy Street and known as Assessor's Parcel Number 011-215-001-000 ("Property");

WHEREAS, the City desires to utilize money in its Affordable Housing Fund to purchase the Property for affordable housing purposes;

WHEREAS, the Owner and the City have negotiated the terms of a Vacant Land Purchase Agreement and Joint Escrow Instructions ("Purchase Agreement"), whereby City would purchase the Property for the sum of \$500,000, and City has conditionally submitted an offer subject to City Council approval;

WHEREAS, this action is exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility it will have a significant effect on the environment, as the City and/or potential developer of any affordable housing on the Property will undergo project specific CEQA review during the land approvals and development phase; and

WHEREAS, the City Council desires to authorize the purchase of the Property for affordable housing purposes.

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

1. Approves and authorizes the purchase of the Property for affordable housing purposes for \$500,000, in accordance with the terms of the Purchase Agreement including:
 - a. Two Hundred Fifty Thousand Dollars (\$250,000), payable at closing from the unappropriated Affordable Housing Fund under account number 78-4615-4910 for Fiscal Year 2017-18;
 - b. Two Hundred Fifty Thousand Dollars (\$250,000) payable on January 1, 2019, but no later than January 31, 2019, from the unappropriated Affordable Housing Fund under account number 78-4615-4910 for Fiscal Year 2018-19. All future payments are at zero (0%) interest.
2. Approves a budget adjustment from the unappropriated Affordable Housing Fund Balance for an amount not to exceed \$250,000 from account number 78-4615-4910 for Fiscal Year 2017-18;
3. Authorizes the City Manager to take any and all actions and execute any documents as necessary to implement the terms of the Purchase

Agreement and complete the purchase of the Property in accordance with the terms of the Purchase Agreement; and

4. Authorizes the City Manager to record any and all covenants against the Property after purchase to ensure its use for affordable housing purposes.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this **3rd day of April, 2018**, by the following vote:

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



CHRIS CANNING, Mayor

ATTEST:


KATHY FLAMSON, City Clerk