

RESOLUTION NO. 2015-102

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA,
COUNTY OF NAPA, STATE OF CALIFORNIA, APPROVING AND
AUTHORIZING A LEASE DISPOSITION AND DEVELOPMENT AGREEMENT
WITH THE BOYS & GIRLS CLUBS OF ST. HELENA AND CALISTOGA TO
EFFECUTATE THE GROUND LEASE OF, AND DEVELOPMENT OF A BOYS
AND GIRLS CLUB ON, CITY PROPERTY NEAR LOGVY PARK AND
AUTHORIZING THE CITY MANAGER TO EXECUTE THE LEASE
DISPOSITION AND DEVELOPMENT AGREEMENT, GROUND LEASE, JOINT
USE AGREEMENT AND OTHER DOCUMENTS**

WHEREAS, the City of Calistoga ("City") owns approximately 1.06 acres of property near Logvy Park located at 1401 North Oak Street ("Site"); and

WHEREAS, the Site was purchased by the City with funding from the City's General Fund for the purpose of providing community facilities, such as a community and teen center; and

WHEREAS, no facilities have been constructed on the Site to date and the Property has served as the temporary location for a dog park and community garden (with no designation for park use) pending future development of community facilities; and

WHEREAS, the Boys & Girls Clubs of St. Helena and Calistoga (the "Club") has approached the City to use a portion of the Site (the "Property") for the purpose of constructing a new Boys and Girls Club facility, parking lot and landscaping on the Property for use by the Club, City and community (the "Project"); and

WHEREAS, the Project includes uses similar to those contemplated when the Property was originally purchased by City, which uses are consistent with the City's General Plan; and

WHEREAS, City and the Club have negotiated the terms of a Lease Disposition and Development Agreement, Ground Lease and Joint Use Agreement, whereby City would ground lease the Property to the Club for an annual rent of \$1.00 per year and the Club would agree to develop the Project and provide community programming and allow City use of the Project for City and community uses, all contingent on City land use approvals and other conditions precedent to closing; and

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 proposed Project is consistent with the General Plan and will

undergo project specific CEQA review during the land use approvals and development phase; and

WHEREAS, the City Council desires to authorize the execution of the Lease

Disposition and Development Agreement in order to effectuate the development and use of the Project.

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

1. Approves and authorizes the City Manager to execute the Lease Disposition and Development Agreement (DDA) with the Boys & Girls Clubs of St. Helena and Calistoga, in the form attached hereto, with minor revisions as may be approved by the City Manager in consultation with the City Attorney;

2. Approves and authorizes the ground lease of the Property at a rent of \$1.00 per year in accordance with the terms of the DDA and proposed Ground Lease;

3. Approves and authorizes the joint use of the project to be constructed on the Property in accordance with the terms of the DDA, and proposed Ground Lease and Joint Use Agreement; and

4. Authorizes the City Manager to execute the Ground Lease and Joint Use Agreement, in accordance with the terms of the DDA, and to take other actions and execute other documents as necessary to implement the terms of the DDA and execution of the Ground Lease and Joint Use Agreement.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this **18th day of August, 2015**, by the following vote:

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



CHRIS CANNING, Mayor

ATTEST:



KATHY FLAMSON, City Clerk