

RESOLUTION 2015-144

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING EXECUTION OF A REIMBURSEMENT AGREEMENT WITH THE BOYS & GIRLS CLUBS OF ST. HELENA AND CALISTOGA FOR PREPARATION OF PLANS, SPECIFICATIONS AND CONSTRUCTION OF INFRASTRUCTURE IMPROVEMENTS IMPROVEMENTS FOR A CITY BUILDING AT 1401 OAK STREET AND EXECUTION OF CONSTRUCTION AND UTILITY EASEMENT AGREEMENTS

WHEREAS, on August 18, 2015, the City of Calistoga ("City") and the Boys & Girls Clubs of St. Helena and Calistoga ("Club") entered into a Lease Disposition and Development Agreement (DDA) for a ground lease of City owned property adjacent to the Community Pool thereby allowing the Club to build a new Club facility in Calistoga; and

WHEREAS, the DDA provides for the City to retain a portion of the site for a future City Building (tentatively for Recreation Services); and

WHEREAS, in order to achieve cost savings and develop the site in a cohesive manner, Club has agreed to incorporate plans and specifications for infrastructure to serve a future City Building together with its plans, and has agreed to construct and install the infrastructure improvements simultaneously; and

WHEREAS, the City and Club have negotiated a reimbursement agreement that provides for the City to reimburse the Club for design and construction of infrastructure that will ultimately serve the future City Building utilizing impact and connection fees as credits against the costs associated with the City's portion of the design and construction of the infrastructure serving the future City building; and

WHEREAS, due to site constraints the proposed Club building has a zero foot setback on the west side and to ensure compliance with the Building and Fire Codes a ten foot wide "no build" easement is needed on the Washington Street right-of-way; and

WHEREAS, a construction easement agreement is also needed to accommodate the driveway and sidewalk on the Oak Street frontage, and temporary construction easement and permanent utility easement agreements are needed across the Fair Grounds property for utilities that will serve the proposed buildings.

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

1. Approves the Reimbursement Agreement with the Club subject to approval as to form by the City Attorney.
2. Authorizes the City Manager to execute the Reimbursement Agreement with the Club, and staff is otherwise directed to administer the Agreement including processing remuneration to the Club using impact and connection fees the Club is required to pay for its building.

3. Authorizes the City Manager to execute temporary construction easement, permeant utility easement, no build easement and permeant improvement easement agreements for the Clubs building and supporting infrastructure.

PASSED AND ADOPTED by the City Council of the City of Calistoga this **15th** day of **December 2015**, by the following vote:

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



CHRIS CANNING, Mayor

ATTEST:



KATHY FLANSON, City Clerk