RESOLUTION NO. 2019-105

A RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS, STATE OF CALIFORNIA, DECLARING THAT: (1) PURSUANT TO GOVERNMENT CODE SECTION 25365 (a), AN APPROXIMATELY 34.3-ACRE PORTION OF 70.6 ACRES OF IMPROVED COUNTY OWNED LAND LOCATED IN THE CITY OF CALISTOGA, COUNTY OF NAPA, IS NOT REQUIRED FOR COUNTY USE AND IS DESIGNATED AS SURPLUS; (2) THE PROPERTY WILL BE CONVEYED TO THE CITY OF CALISTOGA; AND (3) THE CHAIR OF THE BOARD IS AUTHORIZED TO EXECUTE ALL DOCUMENTS NECESSARY TO CONSUMMATE THE SALE AND CONVEYANCE OF THE PROPERTY TO THE CITY OF CALISTOGA.

WHEREAS, the County is the owner of improved land located in the City of Calistoga, County of Napa, commonly known as APN: 011-140-055, 011-140-006, 011-140-007 and 011-481-022 and more fully described on Exhibit A (“County’s Existing Land”). County’s Existing Land contains approximately ± 70.6 acre; and

WHEREAS, the County has contracted with the Napa County Fair Association for over 80 years to operate and maintain on a portion of County’s Existing Land as the “Napa County Fairgrounds”; and

WHEREAS, the Napa County Fairgrounds has been struggling since 2012 when the state cut funding which is compounded by aging infrastructure and a decline in attendance in fairs; and

WHEREAS, in 2018 the Napa County Fair Association, notified the County of its intent to terminate its contract with the County for the Napa County Fairgrounds; and

WHEREAS, over the last two years, the County and City of Calistoga (the “City”) have been discussing governance of County’s Existing Land and in particular the portion used for the Napa County Fairgrounds. Such discussions concluded with the City’s desire to acquire an approximately ± 34.3 acre portion of the County’s Existing Land (the “Property”), to preserve and utilize the grounds thereof for the greatest benefit to Calistogans and County residents; and

WHEREAS, California Government Code Section 25365 (a) provides that a board of supervisors may, by a four-fifths vote, convey or otherwise transfer to a city any real property belonging to a county upon the terms and conditions as are agreed upon and without complying with any other provisions regarding surplusing of public property, if the property is not required for county use; and

WHEREAS, the Napa County Board of Supervisors desires to declare the Property as no longer required for County use, designate it as surplus and convey the Property to the City upon the terms and conditions set forth in a purchase and sale agreement; and
WHEREAS, the City desires to purchase the Property from the County on the terms and conditions set forth in a purchase and sale agreement; and

WHEREAS, the County has given notice of its intended action to convey the Property to the City at least one week in advance pursuant to California Government Code Sections 25365(c) and 6061 and the draft purchase and sale agreement was available for public review.

NOW, THEREFORE, BE IT RESOLVED, by the Napa County Board of Supervisors as follows:

1. The foregoing recitals are true and correct and incorporated herein.

2. The Property as shown on the attached Exhibit A is hereby no longer required for County use and is hereby designated as surplus.

3. The Board authorizes the Chair of the Board to execute a purchase and sale agreement, a declaration of covenants and restrictions and reciprocal easement agreement, and grant deed for conveyance of the Property and authorizes the County Executive Officer or the County Executive Officer’s designee to execute all related documents necessary to consummate the sale and conveyance of the Property to the City.

4. The Board finds that this action is categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to: (a) Class 12 “Surplus Government Property Sales,” which may be found in the guidelines for the implementation of CEQA at 14 CCR §15312; and (b) the General Rule Exemption. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines for the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].
5. This resolution shall take effect immediately upon its adoption.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Napa County Board of Supervisors, State of California, at a regular meeting of the Board held on the 20th day of August, 2019, by the following four-fifths vote:

AYES: SUPERVISORS RAMOS, WAGENKNECHT, DILLON, PEDROZA and GREGORY

NOES: SUPERVISORS NONE

ABSTAIN: SUPERVISORS NONE

ABSENT: SUPERVISORS NONE

NAPA COUNTY, a political subdivision of the State of California

By: RYAN GREGORY, Chair of the Board of Supervisors

APPROVED AS TO FORM
Office of County Counsel
By: Laura J. Anderson (e-sign)
Deputy County Counsel
Date: July 31, 2019

APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS
Date: August 20, 2019
Processed By:
Deputy Clerk of the Board

ATTEST: JOSE LUIS VALDEZ
Clerk of the Board of Supervisors

By: [Signature]
NAPA COUNTY
DEPARTMENT OF PUBLIC WORKS
1195 THIRD STREET # ROOM 101 # NAPA, CA 94559
PHONE 707-253-4351 • FAX 707-253-4627
STEVEN E. LEDERER
Director of Public Works

EXHIBIT A
COUNTY'S EXISTING LAND

FAIRWAY VISTA SUBDIVISION

(36.34 Acres
(REMAINING PROPERTY)

(34.34 Acres
(PROPERTY)

1" = 300'

PW/LEASE +/-SALE/CALISTOGA FAIRGROUNDS/RESO DISP PUBLIC USE 7.30.19.DOC