**RESOLUTION NO. 2018-**

**A RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS ADOPTING A PROCEDURE TO WAIVE APPRAISALS IN THE ACQUISITION OF ACQUIRING PROPERTY OF A LOW MARKET VALUE**

**WHEREAS**, Napa County (“County”) is authorized to finance, construct, and maintain public improvements projects that are necessary for the public; and

**WHEREAS**, in carrying-out such projects, the County is authorized by various statutes to acquire property necessary to for these public uses, including pursuant to those powers set forth in Government Code Section 25350.5 and Code of Civil Procedure section 1250.010 et seq.; and

**WHEREAS**, property acquisition for federal funded projects must comply with The Uniform Act and in addition Federal Highway Administration funded projects must comply with Section 7.02.13.00 of the California Department of Transportation Right of Way Manual; and

**WHEREAS**, in acquiring property for such projects, the County is generally required to perform appraisals for such property, pursuant to Government Code Section 7267.1; and

**WHEREAS**, the County is authorized under Government Code Section 7267.1(b) to prescribe a procedure to waive the appraisal in cases involving the acquisition by sale or donation of property with a low fair market value; and

**WHEREAS**, waiving the appraisal process in these simplified acquisitions can reduce County costs and expedite particular projects; and

**WHEREAS**, a procedure to waive the appraisal in cases involving the acquisition by sale or donation of property with a low fair market value is attached hereto as **Exhibit A** and incorporated herein by reference; and

**WHEREAS**, the County finds that property valued under $10,000 or as listed in Section 7.02.13.00 of the California Department of Transportation Right of Way Manual is property of a low fair market value; and

**WHEREAS**, the Board desires to have these delegations and procedure memorialized by referencing this resolution, the waiver procedure, and the delegation of authority below in Part I: Section 38 of the Napa County Policy Manual entitled Public Works, Engineering, Roads and Surveyor.

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

1. The foregoing recitals are true and correct.
2. The Napa County Board of Supervisors hereby adopts a procedure, attached hereto as **Exhibit A** and incorporated herein by reference, to waive the appraisal in cases involving the acquisition by sale or donation of property with a low fair market value.
3. The Director of Public Works or designee is hereby authorized to and empowered to waive appraisals in the acquisition of property of a low market value consistent with the procedures set forth in Exhibit A.
4. Staff is directed to incorporate a reference to this resolution and the authority delegated in paragraphs 2 and 3 above into Part I: Section 38 of the Napa County Policy Manual.

**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 10th day of July 2018, by the following vote:

AYES: SUPERVISORS \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NOES: SUPERVISORS \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ABSTAIN: SUPERVISORS \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ABSENT: SUPERVISORS \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

BRAD WAGENKNECHT, Chair of the

Board of Supervisors

|  |  |  |
| --- | --- | --- |
| APPROVED AS TO FORM  Office of County Counsel  By: *Thomas S. Capriola*  Deputy County Counsel  Date: June 26, 2018 | APPROVED BY THE NAPA COUNTY  BOARD OF SUPERVISORS  Date:  Processed By:    Deputy Clerk of the Board | ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors  By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |