



Agenda Date: 12/18/2007
Agenda Placement: 9C

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Michael Stoltz for Robert Peterson - Director
Public Works
REPORT BY: Nancy Oweong, Staff Services Analyst I , 253-4603
SUBJECT: Property Transfer Agreement with St. Helena Cemetery

RECOMMENDATION

Director of Public Works requests the following:

1. Approval of and authorization for the Chair to sign a Property Exchange Agreement between the County and the St. Helena Cemetery Association, a corporation, to reconfigure the 2.02 acres of County land within the cemetery district into to a more contiguous, regularly shaped parcel to provide better use of the land for both the County and the Association; and
2. Authorization for the Director of Public Works to sign all related closing documents necessary for the processing of the property exchange and the City of St. Helena lot line adjustment application.

(4/5 vote required)

EXECUTIVE SUMMARY

The County of Napa and the St. Helena Cemetery Association both own property at 2461 Spring Street, St. Helena, CA. The County's parcel APN 009-392-013 is approximately 2.02 acres and is located within the boundaries of St. Helena's Cemetery's parcel APN 009-392-026. The Cemetery Association approached the County with a request to reconfigure the 2.02 acres to a more contiguous, regularly shaped parcel to provide better use of the land for both the County and the Association. Approval of this action will facilitate a property exchange between the County and the St. Helena Cemetery Association for property located at 2461 Spring Street, St. Helena, CA, and allow the Public Works Director to sign all related closing documents and the City of St. Helena lot line adjustment application. This exchange will reconfigure the shape and location of the County's parcel within the St. Helena Cemetery, but the size will remain the same at 2.02 acres.

Procedural Requirement

1. Chair announces the agenda item.

2. Staff reports on the item.
3. Questions by the Board.
4. Chair invites public comments.
5. Member makes a motion.
6. Different member seconds the motion.
7. Board discussion and debate on the motion.
8. Chair calls for the vote.
9. If roll call vote requested by member, Clerk calls the roll.
10. Chair announces the result of the vote.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Categorical Exemption Class 15: It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental Quality Act. [See Class 15 ("Minor Land Divisions") which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15315.]

BACKGROUND AND DISCUSSION

The County of Napa and the St. Helena Cemetery Association both own property at 2461 Spring Street, St. Helena, CA. The County's parcel APN 009-392-013 is approximately 2.02 acres and is located within the boundaries of St. Helena's Cemetery's parcel APN 009-392-026. The County acquired the property in 1956 for the County's Indigent Burial Program. This Program provides burial assistance for deceased Napa County residents who are found to be financially indigent. Eligibility requires that the individual and the family members have no ability to pay. Between 1980 and 2006 there have been a total of 183 indigent burials.

The Cemetery Association approached the County with a request to reconfigure the 2.02 acres to a more contiguous, regularly shaped parcel to provide better use of the land for both the County and the Association. The reconfiguration will not change the size of the parcel and therefore will not alter the number of burials that can be accommodated. For reference Exhibits A-1, A-2 and B of the Property Exchange Agreement, which respectively define the current configuration and legal description and the proposed configuration, are attached to this report. The legal description for the proposed adjustment will be drafted once the Lot Line Adjustment has been approved by the City of St. Helena.

California Government Code Section 25365 authorizes the Board of Supervisors by a four-fifths vote, to exchange real property of equal value with any person, firm or corporation, for the purpose of removing defects in the title to real property owned by the county, or where the real property to be exchanged is not required for county use and the property to be acquired is required for county use. The previously configured lot would no longer be required for the County's Indigent Burial Program, as such use would continue in the new configuration.

This action will give approval and authorization for the Director of Public Works to sign any related documents necessary for the processing of the property exchange. The County will not be responsible for any fees or costs in

connection with the property exchange.

SUPPORTING DOCUMENTS

- A . Exhibit A-1 Map
- B . Exhibit A-2 Legal Description
- C . Exhibit B Proposed Map

CEO Recommendation: Approve

Reviewed By: Helene Franchi