



Agenda Date: 2/27/2007
Agenda Placement: 6Z

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Howard Siegel for Nancy Watt - County Executive Officer
Community Partnership Program
REPORT BY: Howard Siegel, Community Partnership Manager, 253-4621
SUBJECT: Amendment No. 2 to Parking Garage Cooperative Agreement with the City of Napa

RECOMMENDATION

County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 2 to Parking Garage Cooperative Agreement No. 6372 with the City of Napa to reflect modifications to location and partnership arrangement.

EXECUTIVE SUMMARY

The County and the City of Napa are jointly developing a parking garage on the County's Superblock as articulated in the Parking Garage Cooperative Agreement executed in December 2004. This agreement was modified in January 2006 in order to reflect a slightly revised financial contribution schedule at that time. Since that time, significant changes have occurred with regard to both the size, location and the partners involved in the development of this garage, thereby necessitating an additional amendment to this Agreement.

This proposed amendment clarifies the current status of the project; namely, that a 4-level parking facility will be constructed on the County Superblock with financing provided by the County, the City of Napa and three (3) private property owners (of neighboring properties), each of whom has parking needs. All five (5) parties' financial contributions have been definitively determined and limited through this agreement and 3 separate Private Participation Agreements with the County approved by your Board on January 9, 2007. The total estimated cost of the facility is \$15.1 Million.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and, therefore, CEQA is not applicable. (Please note that this same determination was made when this Agreement was previously amended in January 2006).

BACKGROUND AND DISCUSSION

In October 2003, the County and the City of Napa executed a Memorandum of Understanding (MOU) pertaining to the reallocation of the County's regional housing needs in exchange for a number of commitments on the part of the County. These included a commitment to develop a parking garage on County land.

In December 2004, that commitment was further articulated in the Parking Garage Cooperative Agreement No. 6372. This Agreement addresses issues related to cost, timing, and relative responsibilities of the City and the County. This agreement was amended in January 2006 for technical reasons including a slightly revised financial contribution schedule.

Since that time, the garage site has been relocated from the Sullivan Block to the County Superblock. The primary reason for this relocation - which was agreed to in Summer 2006 - was an offer by some local property owners and developers to participate financially in the development and operation of the parking facility if the site were changed to be closer to their own properties. This offer would allow the garage to provide a larger number of parking spaces, while enabling the County and the City to limit their own financial contributions to \$6.55 Million and \$4.75 Million, respectively.

On January 9, 2007, your Board approved three (3) Private Participation Agreements, one with each of these property owners. These agreements result in a total contribution of \$3.9 Million towards the development of the new facility which is expected to contain approximately 470 parking spaces. Additionally, the agreements include a provision whereby the private parties pay a proportionate share of the annual operating and maintenance costs of the garage. In exchange, one level of the 4-level garage, or approximately 125 parking spaces, will be designated for use by the tenants, employees, visitors and/or residents to these 3 neighboring properties. The County and each individual property owner were the only parties to each of these agreements.

Today's action is required to amend the preexisting Cooperative Agreement - to which only the City of Napa and the County are parties - primarily to reflect the revised partnership arrangement as a result of the three Private Participation Agreements described above. Both the Cooperative Agreement and the three Private Participation Agreements have deferred certain specific decisions (e.g. precise number of parking spaces) to a subsequent Operations and Use Agreement, to which all five partners will be parties. This latter agreement is expected to be brought to the Board for your consideration in April or May of this year. By that time, bids for the design and construction of the garage will have been received and evaluated and final details clarified.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Karen Gratton