

**RESOLUTION NO. 2017-044**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, APPROVING AND AUTHORIZING THE PURCHASE OF VACANT LAND ON EARL STREET, CALISTOGA (APN 011-215-011-00) AND A BUDGET ADJUSTMENT FROM THE UNAPPROPRIATED AFFORDABLE HOUSING FUND BALANCE FOR AN AMOUNT NOT TO EXCEED \$472,000 FROM ACCOUNT 78-4615-4910**

**WHEREAS**, CC&W LLC, Carolynne W. Clair and Howard R. Clair and CC&W, Mark Wilkinson ("Owner") is the owner of that certain vacant parcel of real property located on Earl Street and known as Assessor's Parcel Number 011-215-011-00 ("Property");

**WHEREAS**, the City desires to utilize money in its Affordable Housing Fund to purchase the Property for affordable housing purposes;

**WHEREAS**, the Owner and the City have negotiated the terms of a Vacant Land Purchase Agreement and Joint Escrow Instructions ("Purchase Agreement"), whereby City would purchase the Property for the sum of \$472,000, subject to an appraisal and other contingencies, and City has conditionally submitted an offer subject to City Council approval;

**WHEREAS**, this action is exempt under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines because it can be seen with certainty that there is no possibility it will have a significant effect on the environment, as the City and/or potential developer of any affordable housing on the Property will undergo project specific CEQA review during the land approvals and development phase; and

**WHEREAS**, the City Council desires to authorize the purchase of the Property for affordable housing purposes.

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

1. Approves and authorizes the purchase of the Property for affordable housing purposes for \$472,000, in accordance with the terms of the Purchase Agreement, including an appraisal contingency, in the form attached hereto, and a budget adjustment from the unappropriated Affordable Housing Fund Balance for an amount not to exceed \$472,000 from account 78-4615-4910;

2. Authorizes the City Manager to take any and all actions and execute any documents as necessary to implement the terms of the Purchase Agreement and complete the purchase of the Property in accordance with the terms of the Purchase Agreement; and

3. Authorizes the City Manager to record any and all covenants against the Property after purchase to ensure its use for affordable housing purposes.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Calistoga at a regular meeting held this **16<sup>th</sup> day of May, 2017**, by the following vote:

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

  
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**CHRIS CANNING, Mayor**

**ATTEST:**

  
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**KATHY FLAMSON, City Clerk**