

RESOLUTION NO. 2021-001

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, FINDING THAT THE DEVELOPER OF THE CALISTOGA HILLS PROJECT IS IN GOOD FAITH COMPLIANCE WITH THE TERMS AND CONDITIONS OF THE PROJECT'S DEVELOPMENT AGREEMENT

WHEREAS, on April 9, 2013, the City of Calistoga entered into a Development Agreement (Agreement) with Enchanted Resorts, Inc. (Developer) through its approval of Ordinance No. 687, with an effective date of March 29, 2013; and

WHEREAS, the Agreement provided the Developer with certain assurances that they could proceed with a development project, now known as Calistoga Hills, on property located west of Foothill Boulevard; and

WHEREAS, as required by Government Code Section 65865.1 and by the Agreement, the City shall annually determine whether the Developer has, in good faith, substantially complied with the terms of the Agreement; and

WHEREAS, at its meeting of January 5, 2021, the City Council considered the Annual Compliance Evaluation Form completed by the Developer that provides evidence of its good faith compliance with its obligations under the Agreement, and the facts as described in the staff report; and

WHEREAS, the annual review of the Agreement is not subject to the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility it could have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CALISTOGA DOES HEREBY find that the Developer is in good faith substantial compliance with the terms and conditions of the Development Agreement between the City of Calistoga and Enchanted Resorts, Inc. for the Calistoga Hills project, and this review satisfies the annual review of development agreement as provided in Government Code §65865.1.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at its regular meeting held this 5th day of **January 2021**.

I, Marni Rittburg, City Clerk of the City of Calistoga, hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Calistoga at a regular meeting held on the 5th day of **January 2021**, by the following vote:

AYES: Councilmembers Gift, Kraus, and Williams, Vice Mayor Lopez-Ortega and Mayor Canning
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:


Marni Rittburg, City Clerk

APPROVED:


Chris Canning, Mayor