



# Napa County

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## Legislation Details (With Text)

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**File #:** 23-0856      **Version:** 1

**Type:** Agreement      **Status:** Agenda Ready

**File created:** 5/9/2023      **In control:** Board of Supervisors

**On agenda:** 6/6/2023      **Final action:**

**Title:** Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 4 to Space License Agreement No. 210198B with Calistoga Vines Lessee, Inc., dba Four Seasons Resort and Residences Napa Valley (Four Seasons), to amend the agreement to extend the term at the same monthly rental rate for employee parking.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Agreement

Date	Ver.	Action By	Action	Result
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**TO:** Board of Supervisors

**FROM:** Steven Lederer, Director of Public Works

**REPORT BY:** Andrea Salter, Staff Services Analyst

**SUBJECT:** Space License Agreement with Calistoga Vines Lessee, Inc. dba Four Seasons Resort and Residences Napa Valley

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### RECOMMENDATION

Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 4 to Space License Agreement No. 210198B with Calistoga Vines Lessee, Inc., dba Four Seasons Resort and Residences Napa Valley (Four Seasons), to amend the agreement to extend the term at the same monthly rental rate for employee parking.

### EXECUTIVE SUMMARY

Approval of Amendment No. 4 to Agreement No. 210198B will allow continued employee parking to support operation of the Four Seasons and avoid employee parking on public streets in the City of Calistoga to reduce parking impacts in the City's limits.

The term of the agreement will be extended through June 30, 2024, with a continued monthly rental fee of \$3,000 per month. The Agreement may be cancelled by either party with no less than 30 days written notice.

### **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Revenue will be received by Calistoga Fairgrounds (5070000).
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Space is available at the Calistoga Fairgrounds for parking and approval of this amendment will provide needed space and reduce parking impacts the adjacent community.
Is the general fund affected?	No
Future fiscal impact:	Fairgrounds will receive a revenue stream of \$3,000 per month through June 30, 2024.
Consequences if not approved:	Employees of Four Seasons would need to find alternative parking, which is very limited in the vicinity, and would likely impact the community adjacent to Four Seasons.
County Strategic Plan pillar addressed:	Effective and Open Government

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: 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 1 (“Existing Facilities”) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B.]

### **BACKGROUND AND DISCUSSION**

On January 1, 2020, Napa County entered into Space License Agreement No. 20-008D with Silver Rose to use the Golf Course Parking Lot at the Calistoga Fairgrounds as a space for employee parking during construction of Four Seasons Resort and Residences Napa Valley. Agreement 20-008D was scheduled to end on December 31, 2020. On December 8, 2020, Agreement No. 20-008 was amended and reinstated to allow Silver Rose continued use of the Golf Course Parking Lot by extending the term to December 31, 2021. At this time, the Agreement was assigned a new number, No. 210198B.

On June 8, 2021, Amendment No. 1 to Agreement No. 210198B allowed Silver Rose to temporarily expand their use of space beyond the Golf Course Parking Lot and into the RV Parking area between June 7 and June 30, 2021, to provide for additional employee parking during construction of road improvements associated with construction of Four Seasons.

On December 14, 2021, Amendment No. 2 to Space License Agreement No. 210198B assigned all rights and

obligations of the Agreement to Calistoga Vines Lessee, Inc. (new owner of Four Seasons), amended the agreement to allow employee parking to support operation of Four Seasons, extended the term of the space license on a month-to-month basis (not to exceed 12 months), and increased monthly compensation from \$1,500 to \$3,000.

On December 13, 2022, Amendment No. 3 to Agreement No. 210198B extended the term of the Agreement through June 30, 2023, with the consent of the City of Calistoga, which had entered into a Purchase and Sale Agreement with the County for the Property. The City of Calistoga has now terminated the purchase and sale agreement and their consent for leasing is no longer required.

Approval of Amendment No 4 to Amended and Restated Space License Agreement No. 210198B will extend the term of the agreement through June 30, 2024, at the same monthly rental rate.