



Legislation Text

File #: 23-0843, Version: 1

TO: Board of Supervisors
FROM: Steven Lederer - Director of Public Works
REPORT BY: Andrea Salter - Staff Services Analyst I
SUBJECT: Amendment No. 5 to Space License Agreement with Calistoga Art Center

RECOMMENDATION

Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 5 to Space License Agreement No. 200398B with Calistoga Art Center to extend the term of the Agreement through June 30, 2024, with a monthly license fee of \$350 for use of the Cropp Building at the Napa County Fairgrounds as an Art Center.

EXECUTIVE SUMMARY

The Calistoga Art Center (Art Center) has been operating out of the Cropp Building at the Calistoga Fairgrounds since 2011. The Space License Agreement currently terminates on June 30, 2023. Approval of Amendment No. 5 will allow the Calistoga Art Center to continue to operate at the Calistoga Fairgrounds as an Art Center for one additional year, through June 30, 2024, with an unchanged monthly license fee of \$350 per month. The Agreement may be cancelled by either party by providing 30-days written notice.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Revenue from the Art Center for use of the Cropp Building will be received in the budget for the Calistoga Fairgrounds (5070000).
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Approval of Amendment No. 5 to the Agreement is needed to extend the period that the Calistoga Fairgrounds to provide service to the community of Calistoga and beyond.
Is the general fund affected?	No

Future fiscal impact:	Fairgrounds will receive a revenue stream of \$350 per month from July 1, 2023 through June 30, 2024.
Consequences if not approved:	The space license will terminate of June 30, 2023 and the Art Center will no longer be able to operate from the Calistoga Fairgrounds.
County Strategic Plan pillar addressed:	Effective and Open Government

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed activity is not subject to the California Environmental Quality Act because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, pursuant to State CEQA Guidelines section 15060(c)(2).

BACKGROUND AND DISCUSSION

The Calistoga Art Center (Art Center) has been operating out of the Cropp Building at the Calistoga Fairgrounds since 2011. On April 9, 2020, Napa County entered into License Agreement No. 20-009 with the Art Center to utilize the Cropp Building as a community art center for the term January 1, 2020 through December 31, 2020.

On August 11, 2020, Napa County entered into Amended and Restated Space License Agreement No. 200398B (Agreement) to supersede License Agreement No. 20-009 to slightly revise terms and waive monthly facility rental fees for the period where the Art Center could not operate due to COVID-19. On December 8, 2020, Amendment No. 1 to the Agreement was executed to extend the term of the space license to June 30, 2021. On May 18, 2021, Amendment No. 2 to the agreement was amended to extend the term of the space license to June 30, 2022. For the period that the Calistoga Art Center had not been operating at pre-COVID-19 levels, rent was waived. On June 7, 2022, Amendment No. 3 to the Agreement was executed to extend the term of the Agreement for an additional 7 1/2 months, through February 15, 2023, and to reduce the rent from \$1,000 to \$350 per month to reflect reduced use of the facility. On January 10, 2023, Amendment No. 4 to the Agreement was executed to extend the term of the Agreement for an additional 4 1/2 months, through June 30, 2023, with a continued rental amount of \$350 per month.

The Calistoga Art Center continues to offer limited classes and plans on utilizing the Cropp Building in a limited capacity. Approval of Amendment No. 5 will extend the term of the Agreement for one year, through June 30, 2024, with a continued rental amount of \$350 per month. The Agreement continues to provide the County with flexibility related to use of the Calistoga Fairgrounds during emergency situations.