

RESOLUTION R2020-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE CITY MANAGER TO FINALIZE AND EXECUTE A LEASE AGREEMENT WITH JOHN TUTEUR AND MARY HOLMAN TUTEUR, CO-TRUSTEES OF THE TUTEUR FAMILY IRREVOCABLE TRUST DATED 12/22/1979, FOR THE SUGARLOAF COMMUNICATIONS SITE LOCATED ON PROPERTY IN NAPA COUNTY (NEAR 1393 GREEN VALLEY RD; APN 045-350-004), FOR OPERATION OF THE CITY'S EMERGENCY COMMUNICATIONS SYSTEM AT AN INITIAL RENTAL RATE OF \$32,000.00 PER YEAR, WITH AN ANNUAL CPI ADJUSTMENT, FOR AN INITIAL TERM OF FIVE YEARS WITH OPTIONS TO EXTEND FOR AN ADDITIONAL TWENTY-FIVE YEARS; AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA

WHEREAS, the City of Napa has an existing communications site known as "Sugarloaf" located on property owned by the Tuteur Family Irrevocable Trust (APN 045-350-004) where the City's 911 emergency communications are routed, consisting of approximately 40,000 square feet (.92 acre) in size, and improved with a small concrete block building, a communications tower, and related communications equipment necessary to operate the City's communication system; and

WHEREAS, the City has leased the existing site from the Tuteur family since 1966 pursuant to City Agreement No. 1387, recorded June 22, 1966 in Volume 748 at page 485, Napa County Official Records, which expires June 30, 2020; and

WHEREAS, Staff has negotiated the terms of a new lease which includes an initial five-year term beginning July 1, 2020 and provides the City five additional options to extend the lease for additional terms of five years each, for a total of 30 years; and

WHEREAS, approval of the herein described lease will allow the City to continue operation of its communications facility without interruption; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

ATTACHMENT 1

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council's adoption of this Resolution.

2. The City Council hereby determines that the actions authorized by this Resolution are exempt from CEQA pursuant to CEQA Guidelines Section 15301 (leasing of existing public or private structures or facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination).

3. The City Council hereby authorizes the City Manager (or the City Manager's designees, including the Property Manager or Public Works Director) to finalize and execute a lease agreement with John Tuteur and Mary Holman Tuteur, Co-Trustees of the Tuteur Family Irrevocable Trust Dated 12/22/1979, for the Sugarloaf communications site located on property identified as Napa County APN 045-350-004, for operation of the City's emergency communications system at an initial rental rate of \$32,000.00 per year, with an annual CPI adjustment, for an initial term of five years with options to extend for an additional twenty-five years.

4. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 19th day of May, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____

Tiffany Carranza
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney