

RESOLUTION R2020-\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE PUBLIC WORKS DIRECTOR TO EXECUTE A 25-YEAR LEASE WITH THE CALIFORNIA STATE LANDS COMMISSION FOR THE CONTINUED USE AND MAINTENANCE OF AN EXISTING 48-INCH DIAMETER STORM WATER OUTFALL STRUCTURE INTO THE NAPA RIVER AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION ARE EXEMPT FROM CEQA

WHEREAS, the City of Napa has an existing 48-inch diameter storm water outfall structure that discharges into the Napa River at the southern end of Kennedy Park (APN 046-450-018); and

WHEREAS, the Napa River falls under the jurisdiction of the California State Lands Commission (State) and use of State property for the water line crossing is subject to a lease with the State; and

WHEREAS, the previous lease between the City and State for the storm water outfall structure expired in July, 2018, and the State has approved a new lease with a term of 25 years, from August 1, 2018 through July 31, 2043; 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:

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(b), which exempts the operation, maintenance, and lease of existing publicly owned utilities used to provide public utility services.
3. The City Council hereby authorizes the Public Works Director to execute a lease (State Lease 7708.9) with the California State Lands Commission for the continued use and maintenance of an existing 48-inch diameter storm water outfall structure into the Napa River at the southern end of Kennedy Park (APN 046-450-018).

## ATTACHMENT 1

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 16<sup>th</sup> day of June, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_  
Tiffany Carranza  
City Clerk

Approved as to form:

\_\_\_\_\_  
Michael W. Barrett  
City Attorney